

From: Smith, Kristen
Sent: Tuesday, February 2, 2016 8:15 AM
Subject: E-Clips for 2/2/2016

HOUSE E-CLIPS

02/02/16



LABOR-BACKED GROUP REMINDS OHIOANS OF UNION LAW'S DEFEAT

A labor-backed group that helped defeat collective bargaining restrictions in Ohio says it's using the five-year anniversary of the union law to remind supporters to stay active and engaged in its efforts.

OHIO SUPREME COURT HEARS INJURY LAWSUIT OVER POLICE CHASE

The Ohio Supreme Court will hear arguments in the case of a woman who sued police over injuries she suffered after a high-speed chase ended with a burglary suspect colliding with her car.

OHIO PROSECUTOR SEEKS NEW LAW ON POLICE USE-OF-FORCE PROBES

A county prosecutor in Cleveland wants the Ohio Legislature to amend state laws to allow the Ohio attorney general to present deadly police use-of-force cases to grand juries.

OHIO COURT APPROVES CLASS ACTION IN SPEED CAMERA CASE

A state appeals court approved class action status on Monday for thousands of motorists fined for speeding in a southwest Ohio village with citations issued from automatic camera enforcement.

LEGAL COSTS INVOLVING CONVICTED OHIO JUDGE COULD REACH \$1.7M

The cost of court cases brought for and against a juvenile court judge in southwest Ohio who was convicted of a felony charge after a legal battle over her election as judge could reach nearly \$1.7 million.



WITH FOCUS NOW ON NEW HAMPSHIRE, FOR KASICH IT'S DO OR DIE

Ohio Gov. John Kasich knows his presidential campaign won't survive a poor showing in next week's New Hampshire primary, and his schedule reflects it.

GROVE CITY SENDS 'PUPPY MILL' BILL BACK FOR MORE WORK

The sponsor of legislation that would have banned the sale of "puppy mill" animals in Grove City withdrew the proposal Monday night, vowing to come up with "a clean ordinance."

OHIO'S HIGHER PRESCHOOL SPENDING STILL LAGS MOST STATES

Ohio's spending on public preschool programs increased this year, like most states.

KASICH TO MAKE HEAVY PUSH IN NEW HAMPSHIRE AHEAD OF PRIMARY

It's do or die for Ohio Gov. John Kasich's presidential campaign over the next week in New Hampshire, and his schedule reflects it.

OHIO POLITICS NOW: A LOOK AT IOWA AND BEYOND TO NEW HAMPSHIRE

Now that people are finally going to start voting (or caucusing as the case is in Iowa today) we get a look at how much the presidential candidates have to get their word out to voters.

OHIO POLITICS NOW: 'THE REAL RACE BEGINS IN NEW HAMPSHIRE' KASICH CAMPAIGN SAYS

A couple of surprises from the Iowa caucuses could affect how Ohio Gov. John Kasich fares in the New Hampshire primary one week from today.

KASICH GETS MOST OF HIS CAMPAIGN CASH FROM OHIO

Ohio Gov. John Kasich may not be leading most other presidential candidates in fundraising, but he can take some comfort in the fact that he's doing far better than any of them in the state that twice elected him governor.

MARY TAYLOR COMMITTEE RAISED \$146,500 LAST YEAR

Onward Ohio, the nonprofit political organization formed by Republican Lt. Gov. Mary Taylor to elevate her visibility ahead of a potential run for governor in 2018, raised six-figures in a few months.

Dayton Daily News
www.daytondailynews.com

KASICH DONORS INCLUDE SCHWARZENEGGER

Former California Gov. Arnold Schwarzenegger was among the \$2,700 donors to Republican Gov. John Kasich's presidential campaign committee, records filed with the Federal Election Commission Sunday show.

THE PLAIN DEALER

JOHN KASICH'S TEAM ON IOWA CAUCUS FINISH: 'THE REAL RACE BEGINS IN NEW HAMPSHIRE'

Ohio Gov. John Kasich had no expectations for the Iowa caucuses.

IOWA IN THE BOOKS, NEW HAMPSHIRE IS NEXT, AND JOHN KASICH IS ALREADY LOOKING TO SOUTH CAROLINA: OHIO POLITICS ROUNDUP

Iowa is done. New Hampshire is next. John Kasich smacks down his super PAC.

PRESIDENTIAL CANDIDATES JOIN JOHN KASICH ON NEW HAMPSHIRE

CAMPAIGN TRAIL: WHAT TO WATCH FOR TUESDAY

With the Iowa caucuses over, many presidential candidates will spend Tuesday in New Hampshire, including Republicans Jeb Bush, Chris Christie, Ted Cruz, Marco Rubio, and Donald Trump, as well as Democrats Hillary Clinton, Bernie Sanders.

REPUBLICAN LOBBYING FIRM OPENS CLEVELAND OFFICE, HIRES TOP

CUYAHOGA GOP OFFICIAL

A Republican lobbying firm with Cleveland roots is expanding its presence here by opening a Playhouse Square office and hiring Cuyahoga County's top GOP official.

THE ENQUIRER

IOWA CAUCUS SURPRISES MAY HURT JOHN KASICH'S NEW HAMPSHIRE

PRIMARY EFFORT

John Kasich gained only about 2 percentage points in the Iowa caucus Monday night, but so did his top rivals, boosting his campaign's hope for a strong showing in New Hampshire.

TWO GOPERS FEUD OVER LIQUOR CABINET

GOP challenger Courtney Combs says Rep. Wes Retherford treated the statehouse like a frat house, but the incumbent argues that one drink cabinet in his office wasn't improper.

IN NH, KASICH ADS LEAD TO ANGST

John Kasich says his rivals should follow his lead and call on the super PACs supporting them to take down negative advertisements.

THE BLADE

One of America's Great Newspapers

KASICH DIGS IN FOR FINAL STRETCH IN N.H.

Gov. John Kasich has started his final week in New Hampshire, banking on a breakout performance for his presidential aspirations.

CVS TO SELL OVERDOSE ANTIDOTE TO ANYONE

Christa Lammers told a packed audience of politicians, local law enforcement, health-care workers, and substance abuse officials Monday that her brother Jeffrie Shirey, 37, was a heroin addict.

CantonRep.com

CONNECTING STARK COUNTY

OHIO HIGH COURT PACKS DRILLING RIGHTS IN YEARS-LONG CASE

A years-long battle over oil and gas leases ended last month when the Ohio Supreme Court upheld contract language that underpins drilling rights on thousands of properties across the state.

ARNOLD SCHWARZENEGGER HELPS KASICH CAMPAIGN WITH MAX DONATION

Republican Gov. John Kasich's presidential campaign committee and the independent organization supporting him spent \$11.4 million during the final three months of last year as part of his effort to finish among the top three contenders in next week's New Hampshire primary.

EDITORIAL: STATE LEGISLATOR BELITTLES OPPONENT

The photo caught our eye, not only because we thought it was cute, but also because it showed the dedication state Rep. Christina Hagan, R-Marlboro Township, has for her job.

From: Buckeye Institute (via Twitter)
Sent: Wednesday, February 3, 2016 2:28 PM
To: Adams, Alexandra
Subject: Buckeye Institute (@TheBuckeyeInst) mentioned you in conversation on Twitter!



Buckeye Institute
mentioned you.

Reply

 **Buckeye Institute**
@TheBuckeyeInst

Feb 03

Important House hearing starts at 2:30 on
ending residency requirements on local
government contracts. @RonMaag
@OHRGOPCaucus @OHHouseDems



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Subject: Buckeye Institute (@TheBuckeyeInst) mentioned you in conversation on Twitter!



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@TheBuckeyeInst

Feb 16

How NOT to spend \$150m in Ohio.
on.fb.me/1SRpvRA @OhioSenateGOP
@OhioHouseGOP @OHRGOPCaucus
@OHHouseDems

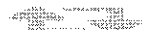
The 5 Most Ridiculous Budget Requests



Bowling Green Curling Club



\$50,000-\$100,000 for Northwest Ohio's
"first curling only" ice rink



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From: Buckeye Institute (via Twitter)
Sent: Thursday, February 18, 2016 8:59 AM
To: Adams, Alexandra
Subject: Buckeye Institute (@TheBuckeyeInst) mentioned you in conversation on Twitter!



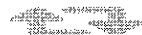
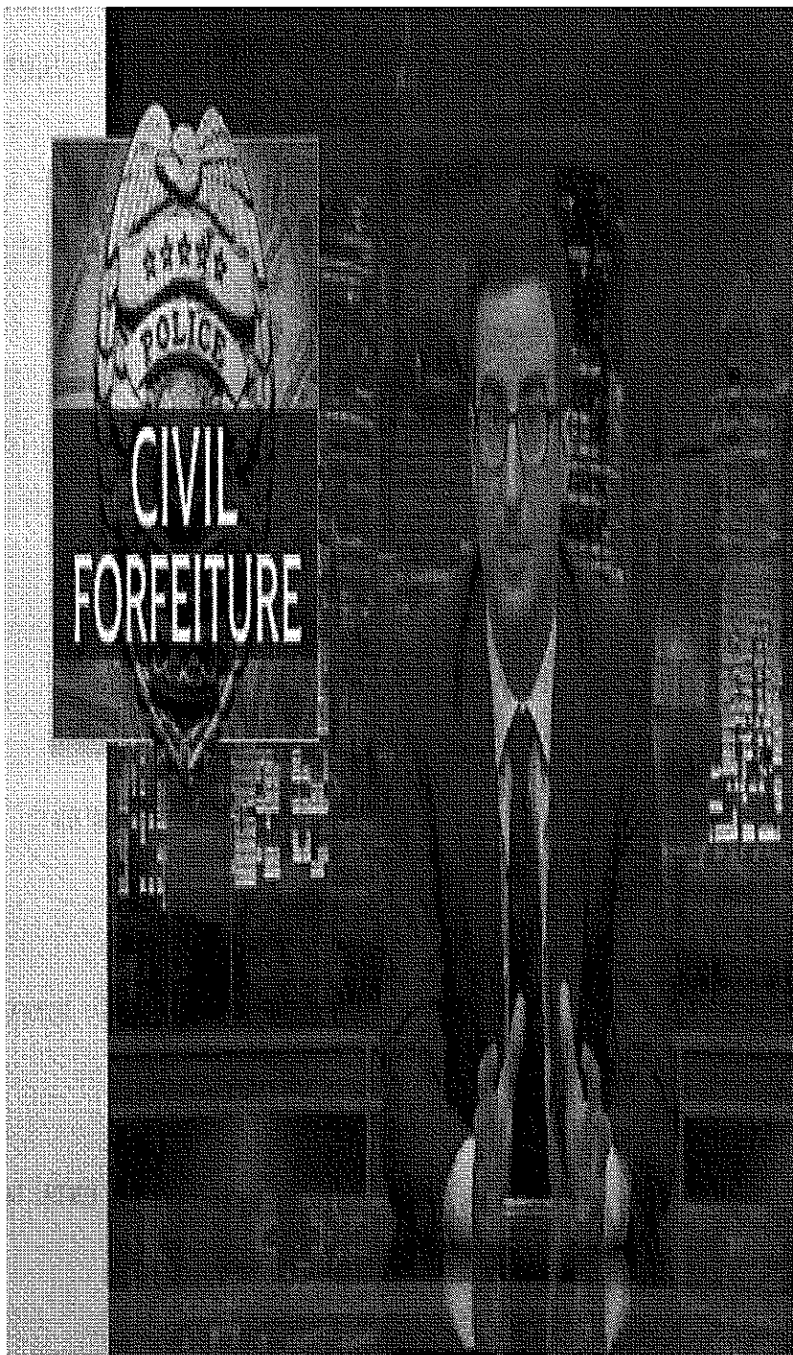
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Feb 18

John Oliver's classic comedic take on asset
forfeiture. bit.ly/1ST7DGc
@OHRGOPCaucus @Rob_McColley



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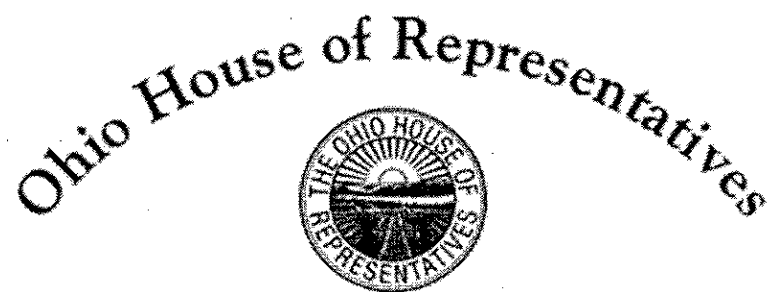
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[illegible]

From: Maxwell, Dan
Sent: Thursday, February 18, 2016 3:28 PM
To: House_All
Subject: Request for Co-Sponsorship – Paid Parental Leave



MEMORANDUM

TO: All House Members
FROM: Representative Christie Kuhns and Representative Janine Boyd
DATE: February 18, 2016
RE: Request for Co-Sponsorship – Paid Parental Leave

We will soon introduce legislation to create the Family and Medical Leave Insurance Program. Beginning in 2020, the program will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. Only two states, California and New Jersey, offer paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for: a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums

have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dan Maxwell, at 466-1645 or via email at Dan.maxwell@ohiohouse.gov. **The deadline to co-sponsor is Monday February 29th at 5:00pm.**

From: Maxwell, Dan

Sent: Thursday, February 18, 2016 3:56 PM

To: House_All

Subject: Request for Co-Sponsorship – Paid Family and Medical Leave



MEMORANDUM

TO: All House Members
FROM: Representative Christie Kuhns and Representative Janine Boyd
DATE: February 18, 2016
RE: Request for Co-Sponsorship – Paid Family and Medical Leave

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From: Gongwer News Service
Sent: Monday, February 22, 2016 6:46 PM
To: Adams, Alexandra
Subject: Ohio Report, Monday, February 22, 2016
Attachments: Feb22House.htm; Feb22.htm; Feb22Senate.htm;
160222dayplan.htm



Ohio Report for Monday, February 22, 2016

Higher Education MBR Expands Community College Options, Implements Affordability Recommendations

Education 'Deregulation' Bill Amendments On Hold, Chairman Says

Former Lawmakers Look To Replace Faber In The Senate

After One Candidate Drops Out, Three Republicans Face Off In House District 47 Primary

Kasich Jostles With Rubio For Bush Donors Following SC; Graham, Sabato Mull Potential Rubio-Kasich Ticket

Politics Notebook: Kasich Draws Attention For 'Kitchen' Remark, Signs PP 'Defund' Bill; Poll Shows 74% Of Ohioans Support Medicinal Pot...

Court Briefs: High Court Sets Execution Date; Visiting Judge To Hear Case; Web Site On Judicial Candidates Updated

Capitol Scene: Chabria To Leave Gov's Office, Join ORP; Staff Changes Announced At Buckeye Institute, AICUO, HPIO

Gongwer Statehouse Job Market Updated

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Senate

Calendars

Day Planner

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House Activity for Monday, February 22, 2016

INTRODUCED

HB 471 ■ **COMMISSION ELIMINATION** (Brown, T.) To formally abolish certain boards and commissions that have completed their work and to abolish the Compact with Ohio Cities Task Force.

HB 472 ■ **RENEWABLE ENERGY** (Strahorn, F.) To unfreeze the requirements for renewable energy, energy efficiency, and peak demand reduction, to permit changes in and Public Utilities Commission action on electric distribution utility portfolio plans in 2016, to revise the setback requirement for economically significant wind farms, and to repeal the setback requirement for wind farms of fifty megawatts or more.

CALENDAR FOR COMING SESSION

SB 124 ■ **AWARENESS DAY/MONTH** (Thomas, C.) To designate May as "Asthma Awareness Month" and to designate May 5 as "Childhood Asthma Awareness Day."

HB 241 ■ **MONTH DESIGNATION** (Grossman, C., Curtin, M.) To designate the month of September as "Hunger Action Month."

HB 290 ■ **TERMINAL PATIENTS** (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician.

HB 305 ■ **RETIREMENT SYSTEMS** (Schuring, K.) To include new nonteaching employees of The University of Akron as members in the Public Employees Retirement System and to make an appropriation for the University's School Employees Retirement System employer surcharge payments.

HB 325 ■

DRUG ADDICTION TREATMENT (Green, D., O'Brien, S.) Regarding encouraging pregnant women who are addicted to controlled substances to seek treatment.

HCR 21 ■

DD EMPLOYMENT SERVICES (Romanchuk, M., Antonio, N.) To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops.

SIGNED BY THE GOVERNOR

HB 294 ■

(Enacted)

ABORTION (Patmon, B., Conditt, M.) To require the Department of Health to ensure that state funds and certain federal funds are not used either to perform or promote nontherapeutic abortions, or to contract or affiliate with any entity that performs or promotes nontherapeutic abortions; to provide for health departments and WIC clinics to determine presumptive eligibility for pregnant women and children; and to allocate existing funding within the Ohio Department of Health's budget to the Ohio Association of Community Health Centers for safe sleep, birth spacing, and smoking cessation initiatives.

Signed: February 21, 2016

Gongwer Coverage

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Click the  after a bill number to create a saved search and email alert for that bill.

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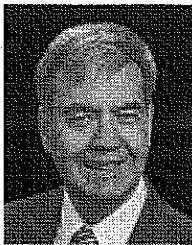
Volume #85, Report #34 -- Monday, February 22, 2016

Higher Education MBR Expands Community College Options, Implements Affordability Recommendations

The administration continues its focus on lowering the cost of college degrees in a higher education mid-biennium review plan unveiled Monday.

The proposal would allow community colleges to offer up to 10 bachelor's degree programs and would create a pilot program in which high school students can receive college credit for math and English remediation courses.

Among other MBR provisions Chancellor John Carey announced at a press event at Lorain County Community College, universities would be required to implement a handful of recommendations from the governor's Task Force on Affordability and Efficiency in Higher Education. (Fact Sheet)



John Carey

"The issue of college affordability is more important than ever. Across the country, the cost of college has far outpaced consumer price index and even healthcare costs. That cost has put the American dream of a college degree out of reach for a growing number of students and families. This is unacceptable," Mr. Carey said.

"Controlling college costs to ensure that more Ohioans can obtain a college degree or credential remains a top priority for Governor Kasich and the General Assembly."

Additional provisions in the bill that Rep. Tim Brown (R-Bowling Green) is expected to introduce on Tuesday include:

- Requiring the Department of Education to study income-sharing agreements as a possible strategy to reducing student loan debt.
- Becoming the 10th state to join the Midwest Exchange Program, which is a tuition reciprocity program that would allow students to enroll in programs at other

states' institutions at a tuition rate that's lower than what typical out-of-state students would pay.

- Creating more "3+1" pathways between two- and four-year institutions so that students are studying at cheaper community colleges longer.
- Joining a partnership with the Western Governors University to award degrees in four areas based on competency and not just the amount of time spent in the classroom.

Joining Mr. Carey were higher education leaders who applauded the plans to expand efforts to reduce higher education costs by supporting dual enrollment programs and pushing collaboration between universities and colleges.

Other speakers included: Lorain County Community College President Roy Church; Sinclair Community College President Steve Johnson; Ray Craig, dean of Bowling Green State University's College of Arts and Sciences; Frank Calzonetti, vice president of government affairs at the University of Toledo; Sen. Gayle Manning (R-N. Ridgeville); and two LCCC students.

In particular, they spoke to the success of 3+1 programs and pointed at the MBR plans as a necessary step toward bringing the initiative to scale statewide.

Mr. Church said students at his two-year institution have saved millions of dollars and shaved years off their higher education careers by taking at least 75% of their classes there before earning a bachelor's degree from a university.

"You can use College Credit Plus and 3+1 and we can assure you that you can graduate with a bachelor's degree by age 20 at less than 20% of the cost of taking that same baccalaureate degree if you had to leave Lorain County and go to (a university offering a) four-year degree," he said. "It's not saying one pathway is better than another, it's saying we need all the pathways we can get in Ohio."

Universities are also supportive of plans to move students more quickly through higher education and at a lower cost, Mr. Craig said.

Bowling Green has been among those schools offering a 3+1 program for more than a decade and CCP has brought some first generation students to the university that may have never pictured themselves there otherwise, he said.

"We've been doing this already for well over a decade. We know that it works. It can be successful for our citizens, our universities and community colleges," Mr. Craig said.

Messrs. Church and Craig said they're hopeful that state support for the program will give it the push it needs to mount in the same way dual enrollment has since the Department of Higher Education and ODE began pushing CCP last year.

Mr. Johnson added that community colleges offering bachelor's degrees that aren't available at nearby universities will also be beneficial because it will allow them to offer credentials in career fields that are specific to the region.

Twenty-five other states permit community colleges to offer advanced degrees, he said.

"This is the kind of policy bill that will help us move forward," Mr. Johnson said, referring to Lumina Foundation research that has determined Ohio needs to increase its percentage of residents with a post-secondary degree from 35% to 65% to fill job demands in the coming years.

When the MBR plan was revealed, Jack Hershey, president of the Ohio Association of Community Colleges, also touted its potential benefits.

"These reforms proposed today shine the light on a pathway that has emerged under Governor Kasich that allows students to obtain a degree from their favorite university, while saving up to 80% off the traditional cost of attendance by completing as much of their coursework as possible at a community college," he said in a statement. "The ability for middle class families, single parents, and working adults to obtain a debt-free college degree is once again a reality in Ohio."

Inter-University Council of Ohio President Bruce Johnson said the organization is still examining the proposals to determine its stance, but is supportive of the administration's ongoing efforts to expand higher education options.

"Overall, I think that we appreciate the chancellor's focus on affordability and access and we think that a large and growing percentage of students who are entering public institutions of higher education are choosing public universities and that's because of their evaluation of the value that public universities provide," he said in an interview.

"Certainly providing really good, high-quality choices is great because the state needs to focus on bridging its education gap," Mr. Johnson added.

Education 'Deregulation' Bill Amendments On Hold, Chairman Says

A bill slated for a number of revisions, including holding charter school sponsors harmless for report card scores, has been pulled from the House Education Committee's agenda.

Chairman Rep. Andy Brenner (R-Powell) said last week that the measure (SB 3) would see "quite a few" changes over the course of back-to-back meetings scheduled for Monday afternoon and Tuesday morning. (See Gongwer Ohio Report, February 19, 2016)

However, the Monday meeting was canceled late last week and Tuesday's has been moved to 2 p.m. The bill and a presentation from the Department of Education were removed from the agenda of the latter meeting.

The delay is caused by a desire on behalf of the legislature and the administration to continue working on the bill before any changes are made public, Rep. Brenner said. He expects any disagreements to be resolved by the time the House returns to session the week of March 14.

"Hopefully we'll get the issues resolved between now and when we come back," he said in an interview.

The chairman was reluctant to reveal what the planned omnibus amendment will include or what proposals are proving to be the most contentious, but said changes will address policy decisions made in the last year.

Despite reports that the proposals would seek to weaken recently enacted charter school overhauls, Rep. Brenner said he doesn't think that's the case.

"There is a discussion of some other issues around equivalency, but that goes back to prior legislation," he said.

Sen. Peggy Lehenr, the Senate Education Committee chairwoman who was behind a number of the HB2 provisions, said attempts to water them down have been unsuccessful.

"I haven't heard of anything that's giving me heartburn," she said of potential updates to the so-called education de-regulation bill. "I know that there have been efforts to put some things in but to my knowledge they're not going in the bill and therefore I'm fine with it."

The chairwoman added that she's supportive of plans to provide safe harbor for charter school sponsors from state report card grades as long as it's only for the 2014-15 school year.

In its original state, the measure is aimed at rewarding high-performing school districts by releasing them from some state requirements.

Former Lawmakers Look To Replace Faber In The Senate

Matt Huffman and John Adams, both of whom left the House in 2014 due to term limits, are running for the seat that comprises Allen, Champaign, Shelby and Mercer counties along with portions of Auglaize, Logan and Darke counties.

Mr. Adams, a businessman and former Navy SEAL, did not respond to multiple attempts to contact him.

Mr. Huffman, a private attorney who rose to the ranks of speaker pro tempore in his first tenure in the legislature, said he has always been drawn to public service.

Prior to his time in the General Assembly he served on the Lima City Council for 14 years, including seven as the body's president.

"If you feel like you can contribute you need to do that in whatever way you can," Mr. Huffman said.

If elected, Mr. Huffman said he hopes to boost manufacturing in the district through increased vocational training and remove disincentives to work.

"We can't fill jobs," he said. "We have jobs that are going unfilled."

More educational dollars should be spent on vocational training and less should be spent on welfare programs, according to Mr. Huffman.

"We understand that in bad times people lose their jobs and they need a little bit of a boost," he said, but added, "Everybody has to do a job at some point in their life that they don't like."

Mr. Huffman also said he will push for a more business-friendly climate in Ohio by fighting efforts to raise revenues through what he deems as backdoor tax increases - "retroactive fines, penalties, things of that nature," he said.

"There should never be a surprise from the government that money is owed by a business, especially when there is a newly acquired business," he said.

Providing clarity in the rule-making process and moving from an income tax to a sales tax are also priorities of Mr. Huffman.

During his first stint in the legislature, Mr. Huffman said one of his crowning achievements was the passage of legislation to standardize contracts between health care providers and insurance companies (HB125, 127th General Assembly). He said the law could likely use some updating.

"Six years since that bill was passed there's been a lot of backsliding in that regard," he said.

Mr. Huffman, who considers himself to be a "small government, pro-low tax, pro-life, pro-second amendment Republican," believes he has a proven track record of getting things done in the Statehouse that would be of value to the legislature.

"You can be whatever you say you want to be, but you also have to be effective," he said. "That's why we were able to pass a pretty conservative agenda."

During his tenure in the House, Mr. Adams was considered among the more right-leaning members of a conservative majority under then-Speaker Bill Batchelder. He was elected twice to serve in caucus leadership.

Along with the usual conservative causes such as tax cuts and anti-abortion initiatives, Mr. Adams was a staunch proponent of oil and gas drilling in parks and other state lands and sponsored legislation to that effect (HB133, 129th General Assembly).

His anti-abortion efforts included a bill to require paternal consent for abortions (HB252, 128th General Assembly).

Outside of his General Assembly activities, Mr. Adams served as the Ohio legislative chair of American Legislative Exchange Council.

No Democrat filed to run for the heavily Republican seat.

After One Candidate Drops Out, Three Republicans Face Off In House District 47 Primary

An ex-mayor, a school board member, and a Toledo business owner are elbowing for a shot at the 47th House District seat occupied by term limited Rep. Barbara Sears (R-Maumee).

A fourth GOP contender - Monclova Township trustee and Mercy St. Vincent Foundation Development Director Barbara Lang - last month dropped out of the race following discussions with party leaders, saying a crowded primary is not in voters' best interest.

Among the remaining candidates are realtor and former Waterville Mayor Derek Merrin, Sylvania school board member Vicki Donovan Lyle, and business owner and former Sylvania township trustee Kevin Haddad.

The winner of that contest will face Democrat Michael Sarantou of Sylvania Township come November.

The trio of GOP candidates spoke in interviews about their goals for the district if elected.

Mr. Merrin, who has earned endorsements from Rep. Sears, Rep. Rob McColley (R-Napoleon), and Sen. Randy Gardner (R-Bowling Green), served on the Waterville City Council between 2007-2008

He was first elected in 2007, unseating a three-term Democrat and becoming the youngest mayor in Ohio at the time when he took office in 2008. He credits that win to a message of fiscal conservatism and open government.

"I governed as a strong fiscal conservative who opposed tax increases," he said. "I implemented many cost savings reforms. I'm a strong believer we must empower our local officials by addressing state laws that restrict their ability to govern."

After his term ended and he decided not to seek reelection, he spent four years working for the state auditor's office and is now a realtor and real estate investor.

"My number one priority will be creating an environment that ignites Ohio's economic engine," he said. "I believe our state needs pro-growth reforms to our tax code, regulatory rules, and legislation that furthers individual freedoms."

Ms. Lyle has served on the Sylvania school board since 2004 and owns a business specializing in health insurance and benefit consulting.

She said her experience as a school board member overseeing a district with an \$82 million budget has given her an appreciation for public office and the accountability that comes with it.

"We're expected to keep ourselves fiscally solvent and responsible and accountable in a transparent way to the community," she said. "All of those critical pieces are part of what any good elected official (does) in terms of having that kind of background and experience that's going to translate to the bigger stage."

She said she wants to reduce the state's role in the classroom, by decreasing standardized testing and "teaching to the test." Other priorities include better matching job opportunities with potential workers and addressing the financial burden she said is placed on individuals and businesses to secure healthcare.

If elected, she said, she'd focus on being open and accessible to constituents.

"I've had 30-plus years in the workforce having my own business as a small business owner," she said. "In addition to that, I think my time on the school board has served me well to understand that listening is a primary component for an elected official. It's not about our agenda, but what are the concerns for our constituents."

Mr. Haddad is a former president of the Township Association of Lucas County. He's also a real estate owner and for 40 years owned and operated a Toledo hair salon.

After being elected township trustee in 2009, Mr. Haddad lost reelection in 2013. He previously mounted a failed bid as an independent in 2012 for a county commissioner seat. After finding difficulty winning local races as a conservative, he said, he believes he'll have greater odds in a Statehouse race.

"For me, it's not about the job, not about the money," he said. "It's about fixing the state up before it gets wiped out."

He said he wants to reverse cuts to the local government fund enacted in recent years, but also institute new accountability measures to monitor how those funds are used.

"If we restore the local government fund in a way that would go to each community - I'm not going to give it to the counties - I'm going to ask a lot of people give us your budget

and we're going to audit you to make sure you spent that money properly on those issues," he said.

He said he'd push for an elimination of school levies, which he contends are "illegal and unconstitutional."

Mr. Merrin alleges his two opponents aren't conservatives and said he has widespread support in the district. He said he wants to better control government spending while lowering taxes.

"I'm the only conservative that is running," Mr. Merrin said, claiming that his opponents each "have a record of voting and supporting increased taxes."

"I'm the only candidate that has consistently opposed tax increases as an elected official," he said.

Ms. Lyle, in response, said her opponent was likely referring to a series of school levies voters had approved during her time on the school board. She said the board worked to ensure citizen comments were received when weighing potential cost savings efforts and levy proposals.

Like with all school levies, she said, it's not the school board approving the property tax increase but the voters. She said she would prefer no taxes be increased, but that the board is forced to act within the confines of the current funding system.

"We take every effort and every opportunity to be judicious and fiscally responsible and conservative as we can; we value and appreciate the taxpayers' investment," she said. "But we also understand we are limited in our options of how to raise revenue - of which that is one. So it is the voters who decide, not the school board, as to whether (an increase in) taxes will be put in place."

Mr. Haddad said he was able to pass three of his four priorities as a township trustee and that several cost saving measures he proposed were voted down by other trustees.

He criticized Mr. Merrin for his handling, while mayor, of an ordinance that would have barred sex offenders from living in certain parts of the city. The ordinance, which Mr. Haddad contends would have concentrated sex offenders in a handful of neighborhoods, was later scrapped by the city council in a 6-1 vote in 2008 following public opposition.

"When I was a trustee, I worked conservatively," Mr. Haddad said. "I can foresee the future on a lot of issues and I look at every angle of it and I make sure it's done as properly and accurately as possible so we don't have any problems."

Subscribers Note: *These stories are part of a series on contested primaries heading into the March 15 election. Updated candidate lists and related information are available on the Gongwer Elections Page.*

Kasich Jostles With Rubio For Bush Donors Following SC; Graham, Sabato Mull Potential Rubio-Kasich Ticket

Unlike Gov. Bush, the Kasich camp made clear early on it did not have high hopes for South Carolina, instead preferring to lay groundwork in friendlier upcoming Midwestern states like Michigan. Mr. Bush announced Saturday night he was suspending his campaign, a move that enabled Kasich backers to tout their candidates as the last governor standing.

Kasich for America Chief Strategist John Weaver said the South Carolina results show the field has been winnowed to a four man race and that Gov. Kasich has emerged victorious from the "governor's bracket."

"Only four candidates have top-three finishes in any of the early states and can justify staying in," he said. "While others were making their last stand in South Carolina, John Kasich strengthened his organization and support - despite being outspent by tens of millions of dollars. He also focused on the key states ahead for us, like Michigan, where he is currently second, Massachusetts and Vermont."

But Gov. Kasich faces an uphill battle jostling with Sen. Rubio to pick up remnants from Mr. Bush's failed campaign; those donors and staffers may be more drawn to the senator, who has raised more money and seen more success in the Iowa caucuses and SC primary than Gov. Kasich.

"John Kasich may be able to compete in places such as Massachusetts and Michigan in early March, and hang on to win Ohio with the hope that his delegates prove crucial," according to analysis from Sabato's Crystal Ball. "But he just isn't built to play in enough states, nor does he have a broad enough appeal in the GOP, to truly challenge for the nomination."

"Most mainstream Republicans will sooner or later move to Rubio, but will it be soon enough? He can't keep on finishing second or third - or fifth, as he did in New Hampshire. You have to start winning, but where?"

On Monday, former candidate and Bush backer Sen. Lindsay Graham mused during an interview that a Rubio-Kasich ticket "would be (a) very potent ticket in the fall and maybe help us stop Trump."

Added Sabato's Crystal Ball: "Rubio might want to consider a daring gambit - openly offering Kasich the vice presidential slot in exchange for the Ohio governor's support."

Gov. John Kasich finished fifth out of six candidates in the South Carolina Republican primary Saturday, landing far behind winner Donald Trump. Mr. Trump won 32.5% of the vote, while Mr. Kasich won the support of 7.6% of voters.

Sen. Rubio won a narrow second place victory at 22.5%, followed by Sen. Ted Cruz at 22.3%. Gov. Kasich fell just short of former Florida Gov. Jeb Bush, who came in fourth with 7.8%. Retired neurosurgeon Ben Carson earned 7.2% of the vote.

The Kasich campaign is banking on a successful showing in Michigan, where a weekend American Research Group poll ranked him in second at 17%, above Sens. Rubio and Cruz, who were each at 12%.

The Kasich campaign on Monday announced its Michigan team (full roster), which will be chaired by former congressman Pete Hoekstra, State Senate Majority Leader Arlan Meekhof, State House Speaker Pro Tempore Tom Leonard, and former RNC committeeman Chuck Yob.

With the field narrowing, Gov. Kasich is expected to face increasing calls to withdraw in an effort to consolidate support behind Sen. Rubio among establishment figures who hope to mount an effort to thwart Mr. Trump and Sen. Cruz from landing the nomination. Gov. Kasich's continued presence may siphon support that might otherwise be thrown at the freshman senator from Florida.

Kasich Gains/Loses Endorsements: On Sunday, the *Columbus Dispatch* reported that Kasich campaign Colorado co-chair B.J. Nikkel is endorsing Sen. Rubio. The paper quoted the former state lawmaker as saying "it's time for conservatives of conscience to rally behind the one man who can defeat New York billionaire Donald Trump."

At the same time, billionaire financier Stanley Druckenmiller threw his support behind Gov. Kasich, according to the *New York Times*.

"Mr. Druckenmiller confirmed in an email that he was supporting Mr. Kasich, but did not elaborate," the paper reported. "Last year, he donated more than \$450,000 to groups supporting Mr. Kasich, Gov. Chris Christie of New Jersey and former Gov. Jeb Bush of Florida."

It remains to be seen who, if anyone, Mr. Bush might endorse. A *Politico* report Sunday cited those close to Mr. Bush as saying a Kasich endorsement was "unlikely." But an endorsement of Sen. Rubio might also be a stretch considering the pair's increasingly contentious relationship on the campaign trail in recent months.

Gov. Kasich landed several endorsements in recent days, including those from former Pennsylvania Gov. Tom Ridge, former Massachusetts Gov. Bill Weld, former Nevada GOP Chairwoman Amy Tarkanian, and Nevada Speaker John Hambrick. Also endorsing the governor are the *Waco Tribune-Herald* and the *Corpus Christie Caller Times* of Texas.

The Kasich campaign Sunday announced it has hired Mike Schrimpf, formerly chief communicator for Illinois Gov. Bruce Rauner, to oversee its communication outreach. Kerry Knott, former chief of staff to former U.S. Majority Leader Dick Armey has been hired as the campaign's senior policy adviser.

Coming Soon: GOP candidates will next focus on Nevada, where caucuses will be held on Tuesday. A CNN debate is scheduled for Thursday, though qualifying criteria have not yet been announced.

After Nevada is a key March 1 date, when nine states hold primaries and three states hold caucuses in the so called SEC Primary. Primaries will be held that day in Alabama, Arkansas, Georgia, Massachusetts, Oklahoma, Tennessee, Texas, Vermont and Virginia. Alaska, Colorado and Minnesota have caucuses on March 1.

The Kasich-backing super PAC New Day for America on Monday announced the rollout of its national political operation which will involve more than 50 staff members and 14 officers across 12 March primary states.

Targeted states include Alaska, Arkansas, Georgia, Vermont, Virginia, Kentucky, Maine, Hawaii, Michigan, Mississippi, Ohio and North Carolina.

"Our Super PAC's focus on the ground game is unique and, just as we did in New Hampshire, we fully expect our team to impact the race for the nomination," New Day spokeswoman Connie Wehrkamp said. "We are strategically placing our focus and resources where we can make the biggest impact and ensure John Kasich, the one Republican who can win in November, is our nominee."

In a Monday Emerson poll of Massachusetts, conducted Feb. 19-21 with a 5.7 percentage point margin of error, Gov. Kasich placed third at 13%, behind Mr. Trump at 50% and Sen. Rubio at 16%.

Politics Notebook: Kasich Draws Attention For 'Kitchen' Remark, Signs PP 'Defund' Bill; Poll Shows 74% Of Ohioans Support Medicinal Pot...

Remarks from Gov. John Kasich on women leaving their kitchens to campaign for him drew quick backlash Monday, one day after the governor signed a bill to "defund" Planned Parenthood in Ohio.

The governor made the remark during a town hall in Fairfax, Va., as he sought to explain how he was elected to the Ohio Senate in 1978.

"We just got an army of people and many women who left their kitchens to go out and go door to door and put yard signs up for me," he said according to video that first caught attention.

The initial video, posted by a YouTube account that has released a handful of previous anti-Kasich videos, did not show how Mr. Kasich concluded the remark.

Subsequent video of the full remark added context, showing that Gov. Kasich went on to say that campaign occurred "all the way back when things were different. Now you call homes and everybody's out working. But at that time, early days, it was an army of the women that really helped me get elected to the state Senate."

Twitter users quickly seized upon the statement, followed closely by national media outlets.

Kasich for America spokesman Chris Schrimpf responded to the outcry, saying in a statement that the governor's campaigns have "literally been run out of his friends' kitchens and many of his early campaign teams were made up of stay-at-home moms who believed deeply in the changes he wanted to bring to them and their families."

"That's real grassroots campaigning and he's proud of that authentic support," Mr. Schrimpf said. "To try and twist his comments into anything else is just desperate politics."

The Ohio Democratic Party subsequently painted the governor as out of touch, accusing him of giving *Mad Men* television character and womanizer "Don Draper a run for his money."

The remarks came one day after the governor signed a bill (HB 294) to eliminate \$1.3 million in state funding to Planned Parenthood. (See Gongwer Ohio Report, February 10, 2016)

The Planned Parenthood Action Fund said the bill will have "devastating consequences for women" across the state.

"John Kasich is proudly eliminating care for expectant mothers and newborns; leaving thousands without vital STD and HIV testing, slashing a program to fight domestic violence, and cutting access to essential, basic health care," President Cecile Richards said. "It's clear Kasich has no regard for women's health or lives and will stop at nothing to slash health care for millions."

Ohio Right to Life, in contrast, praised the bill's signing.

"Thanks to the pro-life leadership of Gov. Kasich and his work with Ohio Right to Life, Ohio's abortion industry is shrinking," ORTL President Mike Gonidakis said. "As Planned Parenthood haggles over the hearts and brains of aborted babies, Ohio Right to Life is marking history with legislation that is both ethically consistent and fiscally responsible."

Pot Amendment: A poll released Monday by Marijuana Policy Project showed nearly three-fourths of Ohio voters support amending the constitution to legalize medical marijuana for those with terminal or debilitating petitions.

The poll, conducted by Public Policy Polling, shows that 74% of voters support a proposed amendment, with 22% opposed, according to a news release.

"It's become pretty common knowledge that marijuana can be incredibly beneficial in the treatment of a variety of medical conditions," Mason Tvert, a spokesman for Ohioans for Medical Marijuana, a committee that has been formed to support MPP's forthcoming ballot initiative, said in a statement.

"It's not surprising that a vast majority of voters agree patients should be allowed to consume it if their doctors think it could be helpful. There are few laws still on the books that are as unpopular as those that prohibit sick and dying people from accessing medical marijuana."

According to the poll, 85% of self-identified Democrats and 69% of self-identified Republicans said they supported legalizing medical marijuana.

Ohioans for Medical Marijuana is drafting a ballot initiative and expects to start the petition process later this month, according to the release. Another pro-marijuana group has already suspended its petition efforts in favor of supporting the MPP-backed proposal. (See Gongwer Ohio Report, February 19, 2016)

"Ohio's current marijuana policy is antiquated and inhumane," Mr. Tvert said. "We hope to give voters an opportunity to change that this November. We're confident that most Ohioans will support a well-written initiative that gives seriously ill people the right to use medical marijuana if their doctors recommend it."

8th Congressional District: Sen. Bill Beagle (R-Tipp City) on Sunday announced he has earned the support of Butler County Sheriff Richard Jones and Montgomery County Sheriff Phil Plummer in the race to succeed former U.S. Rep. John Boehner.

Sen. Beagle is among more than a dozen GOP candidates vying for the seat in an upcoming special election. Sen. Beagle and Rep. Tim Derickson (R-Oxford) are the two most high-profile contenders.

U.S. Senate Race: A poll from the Democratic polling outfit PPP shows U.S. Sen. Rob Portman (R-Terrace Park) battling weak approval numbers.

The poll found the senator with a 30-39% approval rating, placing him "very much in the danger zone for reelection based on those low approval numbers," according to the group.

Former Gov. Ted Strickland and Cincinnati Councilman PG Sittenfeld are competing in the Democratic primary for the chance to unseat Sen. Portman.

Mr. Sittenfeld on Friday criticized Gov. Strickland for failing to show up to a Monday event at the Cleveland City Club where Mr. Sittenfeld had hoped the candidates would debate. Gov. Strickland has repeatedly rebuffed Mr. Sittenfeld's calls for debates, saying he'd prefer to focus on competing with Sen. Portman.

Court Briefs: High Court Sets Execution Date; Visiting Judge To Hear Case; Web Site On Judicial Candidates Updated

The state's high court has set an execution date for a man convicted of the 2004 killing a Toledo woman who lived who lived in the same apartment complex.

In a 5-2 decision issued with no opinion, the court set an Oct. 17, 2019 execution date for James Frazier.

Justice Paul Pfeifer issued a dissent in the case. He was joined by Justice Terrance O'Donnell.

"At this time, the state is incapable of properly executing the 25 people for whom execution dates have previously been set. It serves no rational purpose for this court to continue to set execution dates while significant logistical obstacles remain in place and more legal challenges are likely," Justice Pfeifer wrote.

In October, the state pushed its earliest execution date back to 2017 due to difficulty in obtaining the drugs used for the lethal injection procedure. (See Gongwer Ohio Report, October 20, 2015)

The state currently has 11 executions scheduled for 2017, eight scheduled for 2018 and six scheduled for 2019.

Bipartisan legislation has been introduced in the House that would end capital punishment in Ohio. (See Gongwer Ohio Report, October 27, 2015)

Web Site Updated: Continuing the effort of Chief Justice O'Connor to create a more informed electorate when it comes to the judiciary, judicialvotescount.org has been updated to provide voters with information about the candidates that will be on the ballot this year, the court reported.

A total of 145 judicial seats will be on the ballot this year, including three Ohio Supreme Court seats, 27 court of appeals seats and 115 common pleas court seats.

The web site provides biographical information on candidates and explanations on why they are running for a particular office, according to the court.

Ran by the Ray C. Bliss Institute of Applied Politics at the University of Akron, the web site was created in the wake of 2014 survey that found many Ohio voters do not vote in judicial elections due to a lack of knowledge about the candidates, the court reported.

According to the chief justice, on average, about 25% of voters who go to the polls do not cast ballots for judicial candidates. In Cuyahoga County in 2012, she said, about 40% of voters neglected to vote for judicial candidates. (See Gongwer Ohio Report, February 11, 2016)

Other partners in the non-profit web site include Chief Justice O'Connor, the League of Women Voters of Ohio, the Ohio State Bar Association, the Ohio Newspaper Association and the Ohio Association of Broadcasters.

Visiting Judge: Tenth District Court of Appeals Judge Elizabeth Schuster will hear oral arguments Tuesday in a lawyer malpractice case.

Judge Schuster will fill in for Chief Justice Maureen O'Connor, who recused herself in the case of *Ratonek v. Roetzel & Andress*.

At issue in the case is whether a Dayton law firm can be used for malpractice for failing to pursue claims that were not in the written agreement but were discussed between the law firm and the client and whether it can be sued for malpractice if it pursues a legal claim sought by the client, but withdraws it and advises the client to seek other counsel to pursue the claim or represent themselves, according to the court.

The case stems from a malpractice lawsuit a California woman filed against another law firm after she claimed it caused her to lose \$1 million in a real estate transaction. The Dayton law firm was originally hired to represent her in that case.

Capitol Scene: Chabria To Leave Gov's Office, Join ORP; Staff Changes Announced At Buckeye Institute, AICUO, HPIO

Jai Chabria, a key executive staff member for Gov. John Kasich, is leaving the governor's office to work for the Ohio Republican Party.

Mr. Chabria has served as senior advisor to Mr. Kasich since he took office in 2011. That job entailed vetting Mr. Kasich's appointments, among other things.

"I am enormously grateful to Jai for his many years of friendship, counsel and outstanding public service to me and the people of Ohio," Mr. Kasich said in a statement. "While it is difficult to see Jai move on, I know that great things lie ahead for him in this next phase of his career. I look forward to our continued deep friendship."

Mr. Chabria's last day with the governor's staff is Friday. The Powell resident's job at ORP was described by the party as "a senior position that will oversee the preparation and planning for the Republican National Convention in Cleveland in July."

"The world spotlight will be on Cleveland in July as our party nominates the next President of the United States. It's a tremendous and exciting opportunity for Ohio," ORP Chairman Matt Borges said. "Jai is a seasoned professional with top notch experience. We are pleased to have him join our team as we plan and prepare for the convention."

AICUO: Andrew Lampkins has joined the staff of the Association of Independent Colleges and Universities of Ohio as director of external relations, the group announced recently.

He previously served dual roles with the Center for Healthy Families as the director of outreach and engagement and with Lardon & Associates as a director of business development.

Mr. Lampkins' prior experience includes serving as the community & small business manager for Vermont Energy Investment Corporation. The Otterbein University graduate

will be responsible for AICUO's affiliate member program, inter-college collaborations, events and educational programming, and the expansion of the group's member energy conservation and sustainability initiative.

Buckeye Institute: Daniel J. Dew has joined the staff of the Buckeye Institute for Public Policy Solutions as a full-time Criminal Justice Fellow, the group announced.

A published author on criminal justice issues and a former Visiting Legal Fellow at The Heritage Foundation in Washington, D.C., Mr. Dew will focus on efforts to revise Ohio's criminal code and updating the state's civil asset forfeiture law, among other things, according to the institute.

"Daniel is a national expert on criminal law, and we are pleased to bring him on to expand Buckeye's capacity to formulate sound criminal justice policy for Ohio that can be easily replicated in other states," institute President and CEO Robert Alt said in a release.

HPIO Hire: Former state employee Rebecca Sustersic has been hired as a policy analyst with the Health Policy Institute of Ohio, the group announced recently.

Reem Aly and Amy Bush Stevens have been promoted to vice president and Sarah Bollig Dorn has been promoted to manager, Health Policy and Education, the group said.

Ms. Sustersic was previously employed at the Ohio Bureau of Workers' Compensation for three years, first as a health care policy analyst and more recently as manager of medical reimbursement and coding policy, according to HPIO. She holds degrees from Ohio State University and Bowling Green State University. Ms. Sustersic also served as a Legislative Service Commission fellow in 2009.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Supplemental Agency Calendar

Tuesday, February 23

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Thursday, February 25

Ethics Commission, Rm. G, 3rd Fl., 30 E. Spring St., Columbus, 12 p.m.

Supplemental Event Planner

Tuesday, February 23

Quinnipiac University to release poll of Ohio likely voters on presidential primary
Ohio senators, faith leaders, others
news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse,
Columbus, 11 a.m.

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Senate Activity for Monday, February 22, 2016

SENATE PRESIDENT'S APPOINTMENTS

Legislative Committee on Public Health Futures: Appoint Sen. Yuko and Carla Hicks

Capitol Square Review & Advisory Board: Appoint Sen. Peterson to replace former Sen. Widener

Sunset Review Committee: Appoint Sen. Coley to replace former Sen. Widener

SIGNED BY THE GOVERNOR

SB 260 ■
(Enacted)

CAPITAL REAPPROPRIATIONS (Coley, B.) To make capital
reappropriations for the biennium ending June 30, 2018.

Signed: February 21, 2016

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Daily Activity Planner for Tuesday, February 23

Legislative Committees

House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9 a.m.

- HB 455** **BOARDING SCHOOL ZONE** (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (1st Hearing-Sponsor)
- HB 407** **BODY CAMERAS** (Boyce, K., Grossman, C.) To require law enforcement agencies that use body cameras to adopt written policies for operation of the cameras and to require agencies to make the adopted policies available to the public. (2nd Hearing-Proponent)
- HB 361** **COMMUNITY EVENT FUNDING** (Brenner, A.) To authorize boards of township trustees and boards of park commissioners to expend funds for the public purpose of presenting community events in their parks and at other recreational facilities. (3rd Hearing-All testimony-Possible amendments & vote)
- HB 375** **SNOW REMOVAL** (Brown, T., Arndt, S.) To authorize townships to require the removal of snow and ice from sidewalks abutting property and to impose a fine for failure to do so. (3rd Hearing-Opponent & interested party)
- HB 333** **BIDDING THRESHOLDS** (Schaffer, T., Hambley, S.) To increase the monetary thresholds above which competitive bidding is required for township road construction, repair, or maintenance contracts, and to increase the monetary thresholds above which a force account assessment is required for a township road construction, repair, or maintenance project. (3rd Hearing-Opponent & interested party)
- HB 378** **TRAFFIC ARRESTS** (Hambley, S., Rezabek, J.) To authorize law enforcement officers of township police districts and joint police districts, and township constables, serving specified small populations to make arrests for motor vehicle-related violations committed on an interstate highway in the same manner as township law enforcement officers serving larger populations. (3rd Hearing-Opponent & interested party)
- HB 413** **EXECUTIVE SESSION** (Brinkman, T.) To add to the purposes for which a board of township trustees may go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other changes to the township laws, to allow taxing units to use the proceeds of a

fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds. (3rd Hearing-Opponent & interested party)

HB 462

POLICE DISTRICT (Hagan, C., Sprague, R.) To establish a joint police district, to modify the membership of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (1st Hearing-Sponsor)

Senate Ways & Means (Committee Record) (Chr. Peterson, B., 466-8156), South Hearing Rm., 9 a.m.

HB 9

TAX EXPENDITURES (Boose, T.) To create a Tax Expenditure Review Committee for the purpose of periodically reviewing existing and proposed tax expenditures. (3rd Hearing-All testimony)

SB 264

TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (2nd Hearing-All testimony-Possible amendments & vote)

HB 233

REDEVELOPMENT DISTRICTS (Schuring, K.) To authorize municipal corporations to create downtown redevelopment districts and innovation districts for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixed-use areas, and supporting grants and loans to technology-oriented and other businesses. (3rd Hearing-All testimony-Possible amendments & vote)

House Transportation & Infrastructure (Committee Record) (Chr. Boose, T., 466-9628), Rm. 122, 9:30 a.m.

SB 182

ROAD NAMING (Balderson, T., Peterson, B.) To designate a portion of United States route twenty-three within Pickaway County as the "Army Specialist Gerald R. Jenkins Memorial Highway" and a portion of United States route sixty-two within Pickaway County as the "Army PFC Kevin C. Ott Memorial Highway." (1st Hearing-All testimony-Possible amendments, substitute & vote)

HB 461

LICENSE PLATE (Roegner, K.) To establish the Cuyahoga Valley National Park license plate and to require a \$15 contribution for the issuance of the license plate. (1st Hearing-Sponsor)

Senate Insurance (Committee Record) (Chr. Hottinger, J., 466-5838), South Hearing Rm., 10:30 a.m.

HB 207 **WORKERS COMPENSATION (Henne, M., McColley, R.)** To allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience (1st Hearing-Sponsor)

SB 273 **CORPORATE GOVERNANCE (Bacon, K.)** To enact the Corporate Governance Annual Disclosure Act. (1st Hearing-Sponsor)

SB 27 **FIREFIGHTER CANCER (Patton, T.)** To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (3rd Hearing-Opponent & interested party)

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

Senate Public Utilities (Committee Record) (Chr. Seitz, B., 466-8068), North Hearing Rm., 11 a.m.

- **Confirmation hearing on governor's appointment of Andre Porter, chairman, Public Utilities Commission of Ohio**

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 11:30 a.m. or after session

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11:30 a.m.

House Ways & Means (Committee Record) (Chr. McClain, J., 644-6265), Rm. 121, 1:30 p.m. or after session

HB 334 **TAX EXEMPTION (Buchy, J.)** To exempt memberships to gyms or other recreational facilities operated by nonprofit organizations from sales and use taxation. (3rd Hearing-All testimony-Possible amendments & vote)

HB 297 **TAX CREDIT (Hill, B.)** To authorize a refundable income tax credit for current livestock owners who invest in a manure storage or treatment facility or acquire manure application equipment or manure handling and transportation equipment. (2nd Hearing-Proponent)

House Government Accountability & Oversight (Committee Record) (Chr. Brown, T., 466-8104), Rm. 114, 1:30 p.m.

HB 444 **ALCOHOL SAMPLES (Blessing, L.)** To allow certain D liquor permit holders to provide free tasting samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (1st Hearing-Sponsor)

HB 351 **LIQUOR LAWS (Perales, R., DeVitis, T.)** To increase the amount of spirituous liquor that an A-3a liquor permit holder may annually manufacture and to allow an A-3a permit holder to obtain an A-1-A liquor permit. (6th Hearing-All testimony-Possible amendments & vote)

HB 278 **HUMANE SOCIETIES** (Hambley, S.) To require approval by the board of county commissioners, instead of the probate judge, of appointments of agents by county humane societies outside a municipal corporation, to specify that a county humane society is a political subdivision, to make its directors, agents, officers, and employees subject to the Ethics Law, and to increase the salaries paid to the agents. (3rd Hearing-Opponent)

Senate Session (Chr. Faber, K., 466-4900), **Senate Chamber, 1:30 p.m.**

House Education (Committee Record) (Chr. Brenner, A., 466-6711), **Rm. 121, 2 p.m. or after session**

- **SB3 and ODE presentation removed from the agenda**

HB 441 **SCHOOL ACTIVITIES** (McColley, R.) To permit a student enrolled in a nonpublic school to participate in interscholastic activities at a school district that is not the student's resident district under certain circumstances and to prohibit a student who participates in the College Credit Plus program from being denied the opportunity to participate in interscholastic athletics solely due to participation in the program. (1st Hearing-Sponsor)

HB 383 **FINANCIAL LITERACY** (Hagan, C., McColley, R.) To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (2nd Hearing-Sponsor)

HB 401 **PRIVATE SCHOOLS** (Brinkman, T.) With regard to requirements for chartered nonpublic schools. (3rd Hearing-Proponent)

HB 410 **TRUANCY** (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (3rd Hearing-All testimony)

Senate State & Local Government (Committee Record) (Chr. LaRose, F., 466-4823), **North Hearing Rm., 2:30 p.m. or after session**

SB 257 **REAL PROPERTY** (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (1st Hearing-Sponsor)

HB 359 **ADDRESS CONFIDENTIALITY** (Duffey, M., Gonzales, A.) To create an address confidentiality program for victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery. (1st Hearing-Sponsor)

HB 158 **DISABILITY TERMS** (Dever, J., Howse, S.) To change the variations of the term "mentally retarded" to "person with an intellectual disability." (1st Hearing-Sponsor)

- HB 242** **DAY DESIGNATION** (Hagan, C., Dever, J.) To designate the fourth Sunday of July as Blue Star Mothers Day. (2nd Hearing-All testimony-Possible vote)
House Judiciary (Committee Record) (Chr. Butler, J., 644-6008), Rm. 116, 3:30 p.m.
- HB 347** **CIVIL FORFEITURES** (McColley, R., Brinkman, T.) To eliminate civil asset forfeiture proceedings and to modify the law governing criminal asset forfeitures. (7th Hearing-Possible amendments & vote)
- SB 215** **VEHICLE FORCIBLE ENTRY** (Hughes, J., LaRose, F.) To grant a person immunity from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm. (1st Hearing-Sponsor)
- HB 446** **OVI OFFENSES** (Manning, N.) To specify that the prison term that may be imposed for a third degree felony operating a vehicle while intoxicated ("OVI") offense is a definite period of twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months, to add "harmful intoxicant" to the definition of "drug of abuse" for the purposes of commercial driver's licensing law, to allow a person to assert the existing affirmative defense of driving in an emergency with regard to a prosecution for driving under a suspended driver's license under specified laws, and to specify that certain enhanced penalties for speeding violations apply regardless of whether the offender previously has been convicted of or pleaded guilty to speeding. (1st Hearing-Sponsor-Possible amendments)
- HB 451** **PROTECTION ORDERS** (Boose, T.) To provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (2nd Hearing-Sponsor-Possible amendments)
- HB 439** **VOYEURISM** (Anielski, M.) To include an impaired person as a victim of voyeurism and to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (2nd Hearing-Proponent)
- HB 432** **ESTATE LAW** (Rezabek, J.) To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act. (2nd Hearing-Proponent)
- HB 436** **DUI SENTENCES** (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (2nd Hearing-Proponent)
- HB 222** **TRANSIT WORKER ASSAULTS** (Driehaus, D., Perales, R.) To increase the penalty for assault when the victim is an employee of an Ohio transit

system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; to permit the court to impose a fine of up to \$5000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; to authorize Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and to increase the penalty for evading payment of the known fares of a public transportation system. (2nd Hearing-Proponent)

HB 363

JUVENILE HEARINGS (Reece, A.) To require restraints to be removed from an alleged or adjudicated delinquent child prior to the commencement of a juvenile court hearing or proceeding unless the court determines that the use of restraints is necessary to prevent physical harm to the child or another person or to prevent the child from escaping. (2nd Hearing-Proponent)

House Armed Services, Veterans Affairs & Public Safety (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

HB 173

VETERAN IDENTIFICATION (Anielski, M., Terhar, L.) To authorize county recorders to issue Ohio veterans identification cards. (4th Hearing-All testimony-Possible substitute & vote)

HB 295

LICENSE PLATE (Ruhl, M.) To create the "Global War on Terrorism Civilian Service Medal" license plate. (2nd Hearing-All testimony-Possible vote)

HB 104

LICENSE PLATE DISPLAY (DeVitis, T.) To specify that failure to display a license plate on the front of a motor vehicle that is required to display a license plate on the front and rear of the vehicle is a secondary traffic offense, to establish a maximum fine of \$25 for such an offense, and to amend the version of section 4503.21 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date. (3rd Hearing-Possible vote)

HB 388

OVI OFFENSES (Scherer, G.) To authorize a court to grant unlimited driving privileges with an ignition interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses. (3rd Hearing-All testimony)

Sunset Review Committee (Committee Record) (Chr. Brown, T., 466-8104), South Hearing Rm., 3:30 p.m.

- **Agency reports from Reclamation Commission, Reclamation Forfeiture Fund Advisory Board, Board of Cosmetology, Optical Dispensers Board, Child Care Advisory Council, Child Support Guideline Advisory Council, Children's Trust Fund Board, Unemployment Compensation Advisory Council, State Victims Assistance Advisory Committee, Ohio Expositions Commission, Data Collection and Analysis Group, Dentist Loan Repayment Advisory Board, Help Me Grow Advisory Council, Hospital Measures Advisory Council, Infant Hearing Screening Subcommittee, Infection Control Group, Intergovernmental Council**

and Advisory Panel of the Lupus Educational and Awareness Program, Legislative Committee on Public Health Futures, Maternity and Newborn Advisory Council, Medically Handicapped Children's Medical Advisory Council, Physician Loan Repayment Advisory Board, Radiation Advisory Council, The Director of Health's Advisory Group on Violent Deaths, The Director of Health's Committee on Concussions and Head Injuries Sustained by Athletes, Council to Advise on the Establishment and Implementation of the Birth Defects Information System and Ohio Medical Quality Foundation

Agency Calendar

Board of Landscape Architects, 77 S. High St., 31st Flr. Board Room, Columbus, 9 a.m.

Southern Ohio Agricultural & Community Development Foundation, Foundation Office, 100 S. High St., Hillsboro, 9:30 a.m. (Agriculture Development Subcommittee)

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Southern Ohio Agricultural & Community Development Foundation, Foundation Office, 100 S. High St., Hillsboro, 11:30 a.m. (Educational Subcommittee)

Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 4 p.m.

Event Planner

Nevada Republican caucuses

Ohio Federation of Soil and Water Conservation Districts' (OFSWCD) 73rd annual conservation partnership conference, Renaissance Hotel, 50 N. 3rd St., Columbus
Quinnipiac University to release poll of Ohio likely voters on presidential primary
Cincinnati USA Regional Chamber Legislative Breakfast Reception, Athletic Club of Columbus, 136 E. Broad St., Columbus, 9:30 a.m.

Ohio senators, faith leaders, others news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse, Columbus, 11 a.m.

Rep. John Boccieri (D-Poland) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to John Boccieri for Ohio Committee)

Ohio Council of Retail Merchants annual legislative reception, The Lounge at the Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m.

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual \$350 to Citizens for Lehner)

Sen. Frank LaRose (R-Copley) fundraiser, Athletic Club of Columbus, The Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual Attendee: \$350 to LaRose for Senate)

Rep. Stephen Slesnick (D-Canton) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to Committee to Elect Stephen Slesnick)

Rep. Jim Butler (R-Oakwood) and Sen. Bill Seitz (R-Cincinnati) fundraiser, Athletic Club of Columbus, Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio and/or Seitz for Senate Committee)

Conservative Energy Day Reception, Statehouse Museum Gallery, Columbus, 5:30 p.m., (RSVP to Mike Hartley at mike@swingstatestrategies.com)

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Ohio Report for Monday, February 22, 2016

Higher Education MBR Expands Community College Options, Implements Affordability Recommendations

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Kasich Jostles With Rubio For Bush Donors Following SC; Graham, Sabato Mull Potential Rubio-Kasich Ticket

Politics Notebook: Kasich Draws Attention For 'Kitchen' Remark, Signs PP 'Defund' Bill; Poll Shows 74% Of Ohioans Support Medicinal Pot...

Court Briefs: High Court Sets Execution Date; Visiting Judge To Hear Case; Web Site On Judicial Candidates Updated

Capitol Scene: Chabria To Leave Gov's Office, Join ORP; Staff Changes Announced At Buckeye Institute, AICUO, HPIO

Gongwer Statehouse Job Market Updated

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Senate

Calendars

Day Planner

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Volume #85, Report #34 -- Monday, February 22, 2016

Higher Education MBR Expands Community College Options, Implements Affordability Recommendations

The administration continues its focus on lowering the cost of college degrees in a higher education mid-biennium review plan unveiled Monday.

The proposal would allow community colleges to offer up to 10 bachelor's degree programs and would create a pilot program in which high school students can receive college credit for math and English remediation courses.

Among other MBR provisions Chancellor John Carey announced at a press event at Lorain County Community College, universities would be required to implement a handful of recommendations from the governor's Task Force on Affordability and Efficiency in Higher Education. (Fact Sheet)



John Carey

"The issue of college affordability is more important than ever. Across the country, the cost of college has far outpaced consumer price index and even healthcare costs. That cost has put the American dream of a college degree out of reach for a growing number of students and families. This is unacceptable," Mr. Carey said.

"Controlling college costs to ensure that more Ohioans can obtain a college degree or credential remains a top priority for Governor Kasich and the General Assembly."

Additional provisions in the bill that Rep. Tim Brown (R-Bowling Green) is expected to introduce on Tuesday include:

- Requiring the Department of Education to study income-sharing agreements as a possible strategy to reducing student loan debt.
- Becoming the 10th state to join the Midwest Exchange Program, which is a tuition reciprocity program that would allow students to enroll in programs at other

states' institutions at a tuition rate that's lower than what typical out-of-state students would pay.

- Creating more "3+1" pathways between two- and four-year institutions so that students are studying at cheaper community colleges longer.
- Joining a partnership with the Western Governors University to award degrees in four areas based on competency and not just the amount of time spent in the classroom.

Joining Mr. Carey were higher education leaders who applauded the plans to expand efforts to reduce higher education costs by supporting dual enrollment programs and pushing collaboration between universities and colleges.

Other speakers included: Lorain County Community College President Roy Church; Sinclair Community College President Steve Johnson; Ray Craig, dean of Bowling Green State University's College of Arts and Sciences; Frank Calzonetti, vice president of government affairs at the University of Toledo; Sen. Gayle Manning (R-N. Ridgeville); and two LCCC students.

In particular, they spoke to the success of 3+1 programs and pointed at the MBR plans as a necessary step toward bringing the initiative to scale statewide.

Mr. Church said students at his two-year institution have saved millions of dollars and shaved years off their higher education careers by taking at least 75% of their classes there before earning a bachelor's degree from a university.

"You can use College Credit Plus and 3+1 and we can assure you that you can graduate with a bachelor's degree by age 20 at less than 20% of the cost of taking that same baccalaureate degree if you had to leave Lorain County and go to (a university offering a) four-year degree," he said. "It's not saying one pathway is better than another, it's saying we need all the pathways we can get in Ohio."

Universities are also supportive of plans to move students more quickly through higher education and at a lower cost, Mr. Craig said.

Bowling Green has been among those schools offering a 3+1 program for more than a decade and CCP has brought some first generation students to the university that may have never pictured themselves there otherwise, he said.

"We've been doing this already for well over a decade. We know that it works. It can be successful for our citizens, our universities and community colleges," Mr. Craig said.

Messrs. Church and Craig said they're hopeful that state support for the program will give it the push it needs to mount in the same way dual enrollment has since the Department of Higher Education and ODE began pushing CCP last year.

Mr. Johnson added that community colleges offering bachelor's degrees that aren't available at nearby universities will also be beneficial because it will allow them to offer credentials in career fields that are specific to the region.

Twenty-five other states permit community colleges to offer advanced degrees, he said.

"This is the kind of policy bill that will help us move forward," Mr. Johnson said, referring to Lumina Foundation research that has determined Ohio needs to increase its percentage of residents with a post-secondary degree from 35% to 65% to fill job demands in the coming years.

When the MBR plan was revealed, Jack Hershey, president of the Ohio Association of Community Colleges, also touted its potential benefits.

"These reforms proposed today shine the light on a pathway that has emerged under Governor Kasich that allows students to obtain a degree from their favorite university, while saving up to 80% off the traditional cost of attendance by completing as much of their coursework as possible at a community college," he said in a statement. "The ability for middle class families, single parents, and working adults to obtain a debt-free college degree is once again a reality in Ohio."

Inter-University Council of Ohio President Bruce Johnson said the organization is still examining the proposals to determine its stance, but is supportive of the administration's ongoing efforts to expand higher education options.

"Overall, I think that we appreciate the chancellor's focus on affordability and access and we think that a large and growing percentage of students who are entering public institutions of higher education are choosing public universities and that's because of their evaluation of the value that public universities provide," he said in an interview.

"Certainly providing really good, high-quality choices is great because the state needs to focus on bridging its education gap," Mr. Johnson added.

Education 'Deregulation' Bill Amendments On Hold, Chairman Says

A bill slated for a number of revisions, including holding charter school sponsors harmless for report card scores, has been pulled from the House Education Committee's agenda.

Chairman Rep. Andy Brenner (R-Powell) said last week that the measure (SB 3) would see "quite a few" changes over the course of back-to-back meetings scheduled for Monday afternoon and Tuesday morning. (See Gongwer Ohio Report, February 19, 2016)

However, the Monday meeting was canceled late last week and Tuesday's has been moved to 2 p.m. The bill and a presentation from the Department of Education were removed from the agenda of the latter meeting.

The delay is caused by a desire on behalf of the legislature and the administration to continue working on the bill before any changes are made public, Rep. Brenner said. He expects any disagreements to be resolved by the time the House returns to session the week of March 14.

"Hopefully we'll get the issues resolved between now and when we come back," he said in an interview.

The chairman was reluctant to reveal what the planned omnibus amendment will include or what proposals are proving to be the most contentious, but said changes will address policy decisions made in the last year.

Despite reports that the proposals would seek to weaken recently enacted charter school overhauls, Rep. Brenner said he doesn't think that's the case.

"There is a discussion of some other issues around equivalency, but that goes back to prior legislation," he said.

Sen. Peggy Lehenr, the Senate Education Committee chairwoman who was behind a number of the HB2 provisions, said attempts to water them down have been unsuccessful.

"I haven't heard of anything that's giving me heartburn," she said of potential updates to the so-called education de-regulation bill. "I know that there have been efforts to put some things in but to my knowledge they're not going in the bill and therefore I'm fine with it."

The chairwoman added that she's supportive of plans to provide safe harbor for charter school sponsors from state report card grades as long as it's only for the 2014-15 school year.

In its original state, the measure is aimed at rewarding high-performing school districts by releasing them from some state requirements.

Former Lawmakers Look To Replace Faber In The Senate

Matt Huffman and John Adams, both of whom left the House in 2014 due to term limits, are running for the seat that comprises Allen, Champaign, Shelby and Mercer counties along with portions of Auglaize, Logan and Darke counties.

Mr. Adams, a businessman and former Navy SEAL, did not respond to multiple attempts to contact him.

Mr. Huffman, a private attorney who rose to the ranks of speaker pro tempore in his first tenure in the legislature, said he has always been drawn to public service.

Prior to his time in the General Assembly he served on the Lima City Council for 14 years, including seven as the body's president.

"If you feel like you can contribute you need to do that in whatever way you can," Mr. Huffman said.

If elected, Mr. Huffman said he hopes to boost manufacturing in the district through increased vocational training and remove disincentives to work.

"We can't fill jobs," he said. "We have jobs that are going unfilled."

More educational dollars should be spent on vocational training and less should be spent on welfare programs, according to Mr. Huffman.

"We understand that in bad times people lose their jobs and they need a little bit of a boost," he said, but added, "Everybody has to do a job at some point in their life that they don't like."

Mr. Huffman also said he will push for a more business-friendly climate in Ohio by fighting efforts to raise revenues through what he deems as backdoor tax increases - "retroactive fines, penalties, things of that nature," he said.

"There should never be a surprise from the government that money is owed by a business, especially when there is a newly acquired business," he said.

Providing clarity in the rule-making process and moving from an income tax to a sales tax are also priorities of Mr. Huffman.

During his first stint in the legislature, Mr. Huffman said one of his crowning achievements was the passage of legislation to standardize contracts between health care providers and insurance companies (HB125, 127th General Assembly). He said the law could likely use some updating.

"Six years since that bill was passed there's been a lot of backsliding in that regard," he said.

Mr. Huffman, who considers himself to be a "small government, pro-low tax, pro-life, pro-second amendment Republican," believes he has a proven track record of getting things done in the Statehouse that would be of value to the legislature.

"You can be whatever you say you want to be, but you also have to be effective," he said. "That's why we were able to pass a pretty conservative agenda."

During his tenure in the House, Mr. Adams was considered among the more right-leaning members of a conservative majority under then-Speaker Bill Batchelder. He was elected twice to serve in caucus leadership.

Along with the usual conservative causes such as tax cuts and anti-abortion initiatives, Mr. Adams was a staunch proponent of oil and gas drilling in parks and other state lands and sponsored legislation to that effect (HB133, 129th General Assembly).

His anti-abortion efforts included a bill to require paternal consent for abortions (HB252, 128th General Assembly).

Outside of his General Assembly activities, Mr. Adams served as the Ohio legislative chair of American Legislative Exchange Council.

No Democrat filed to run for the heavily Republican seat.

After One Candidate Drops Out, Three Republicans Face Off In House District 47 Primary

An ex-mayor, a school board member, and a Toledo business owner are elbowing for a shot at the 47th House District seat occupied by term limited Rep. Barbara Sears (R-Maumee).

A fourth GOP contender - Monclova Township trustee and Mercy St. Vincent Foundation Development Director Barbara Lang - last month dropped out of the race following discussions with party leaders, saying a crowded primary is not in voters' best interest.

Among the remaining candidates are realtor and former Waterville Mayor Derek Merrin, Sylvania school board member Vicki Donovan Lyle, and business owner and former Sylvania township trustee Kevin Haddad.

The winner of that contest will face Democrat Michael Sarantou of Sylvania Township come November.

The trio of GOP candidates spoke in interviews about their goals for the district if elected.

Mr. Merrin, who has earned endorsements from Rep. Sears, Rep. Rob McColley (R-Napoleon), and Sen. Randy Gardner (R-Bowling Green), served on the Waterville City Council between 2007-2008

He was first elected in 2007, unseating a three-term Democrat and becoming the youngest mayor in Ohio at the time when he took office in 2008. He credits that win to a message of fiscal conservatism and open government.

"I governed as a strong fiscal conservative who opposed tax increases," he said. "I implemented many cost savings reforms. I'm a strong believer we must empower our local officials by addressing state laws that restrict their ability to govern."

After his term ended and he decided not to seek reelection, he spent four years working for the state auditor's office and is now a realtor and real estate investor.

"My number one priority will be creating an environment that ignites Ohio's economic engine," he said. "I believe our state needs pro-growth reforms to our tax code, regulatory rules, and legislation that furthers individual freedoms."

Ms. Lyle has served on the Sylvania school board since 2004 and owns a business specializing in health insurance and benefit consulting.

She said her experience as a school board member overseeing a district with an \$82 million budget has given her an appreciation for public office and the accountability that comes with it.

"We're expected to keep ourselves fiscally solvent and responsible and accountable in a transparent way to the community," she said. "All of those critical pieces are part of what any good elected official (does) in terms of having that kind of background and experience that's going to translate to the bigger stage."

She said she wants to reduce the state's role in the classroom, by decreasing standardized testing and "teaching to the test." Other priorities include better matching job opportunities with potential workers and addressing the financial burden she said is placed on individuals and businesses to secure healthcare.

If elected, she said, she'd focus on being open and accessible to constituents.

"I've had 30-plus years in the workforce having my own business as a small business owner," she said. "In addition to that, I think my time on the school board has served me well to understand that listening is a primary component for an elected official. It's not about our agenda, but what are the concerns for our constituents."

Mr. Haddad is a former president of the Township Association of Lucas County. He's also a real estate owner and for 40 years owned and operated a Toledo hair salon.

After being elected township trustee in 2009, Mr. Haddad lost reelection in 2013. He previously mounted a failed bid as an independent in 2012 for a county commissioner seat. After finding difficulty winning local races as a conservative, he said, he believes he'll have greater odds in a Statehouse race.

"For me, it's not about the job, not about the money," he said. "It's about fixing the state up before it gets wiped out."

He said he wants to reverse cuts to the local government fund enacted in recent years, but also institute new accountability measures to monitor how those funds are used.

"If we restore the local government fund in a way that would go to each community - I'm not going to give it to the counties - I'm going to ask a lot of people give us your budget

and we're going to audit you to make sure you spent that money properly on those issues," he said.

He said he'd push for an elimination of school levies, which he contends are "illegal and unconstitutional."

Mr. Merrin alleges his two opponents aren't conservatives and said he has widespread support in the district. He said he wants to better control government spending while lowering taxes.

"I'm the only conservative that is running," Mr. Merrin said, claiming that his opponents each "have a record of voting and supporting increased taxes."

"I'm the only candidate that has consistently opposed tax increases as an elected official," he said.

Ms. Lyle, in response, said her opponent was likely referring to a series of school levies voters had approved during her time on the school board. She said the board worked to ensure citizen comments were received when weighing potential cost savings efforts and levy proposals.

Like with all school levies, she said, it's not the school board approving the property tax increase but the voters. She said she would prefer no taxes be increased, but that the board is forced to act within the confines of the current funding system.

"We take every effort and every opportunity to be judicious and fiscally responsible and conservative as we can; we value and appreciate the taxpayers' investment," she said. "But we also understand we are limited in our options of how to raise revenue - of which that is one. So it is the voters who decide, not the school board, as to whether (an increase in) taxes will be put in place."

Mr. Haddad said he was able to pass three of his four priorities as a township trustee and that several cost saving measures he proposed were voted down by other trustees.

He criticized Mr. Merrin for his handling, while mayor, of an ordinance that would have barred sex offenders from living in certain parts of the city. The ordinance, which Mr. Haddad contends would have concentrated sex offenders in a handful of neighborhoods, was later scrapped by the city council in a 6-1 vote in 2008 following public opposition.

"When I was a trustee, I worked conservatively," Mr. Haddad said. "I can foresee the future on a lot of issues and I look at every angle of it and I make sure it's done as properly and accurately as possible so we don't have any problems."

Subscribers Note: These stories are part of a series on contested primaries heading into the March 15 election. Updated candidate lists and related information are available on the [Gongwer Elections Page](#).

Kasich Jostles With Rubio For Bush Donors Following SC; Graham, Sabato Mull Potential Rubio-Kasich Ticket

Unlike Gov. Bush, the Kasich camp made clear early on it did not have high hopes for South Carolina, instead preferring to lay groundwork in friendlier upcoming Midwestern states like Michigan. Mr. Bush announced Saturday night he was suspending his campaign, a move that enabled Kasich backers to tout their candidates as the last governor standing.

Kasich for America Chief Strategist John Weaver said the South Carolina results show the field has been winnowed to a four man race and that Gov. Kasich has emerged victorious from the "governor's bracket."

"Only four candidates have top-three finishes in any of the early states and can justify staying in," he said. "While others were making their last stand in South Carolina, John Kasich strengthened his organization and support - despite being outspent by tens of millions of dollars. He also focused on the key states ahead for us, like Michigan, where he is currently second, Massachusetts and Vermont."

But Gov. Kasich faces an uphill battle jostling with Sen. Rubio to pick up remnants from Mr. Bush's failed campaign; those donors and staffers may be more drawn to the senator, who has raised more money and seen more success in the Iowa caucuses and SC primary than Gov. Kasich.

"John Kasich may be able to compete in places such as Massachusetts and Michigan in early March, and hang on to win Ohio with the hope that his delegates prove crucial," according to analysis from Sabato's Crystal Ball. "But he just isn't built to play in enough states, nor does he have a broad enough appeal in the GOP, to truly challenge for the nomination."

"Most mainstream Republicans will sooner or later move to Rubio, but will it be soon enough? He can't keep on finishing second or third - or fifth, as he did in New Hampshire. You have to start winning, but where?"

On Monday, former candidate and Bush backer Sen. Lindsay Graham mused during an interview that a Rubio-Kasich ticket "would be (a) very potent ticket in the fall and maybe help us stop Trump."

Added Sabato's Crystal Ball: "Rubio might want to consider a daring gambit - openly offering Kasich the vice presidential slot in exchange for the Ohio governor's support."

Gov. John Kasich finished fifth out of six candidates in the South Carolina Republican primary Saturday, landing far behind winner Donald Trump. Mr. Trump won 32.5% of the vote, while Mr. Kasich won the support of 7.6% of voters.

Sen. Rubio won a narrow second place victory at 22.5%, followed by Sen. Ted Cruz at 22.3%. Gov. Kasich fell just short of former Florida Gov. Jeb Bush, who came in fourth with 7.8%. Retired neurosurgeon Ben Carson earned 7.2% of the vote.

The Kasich campaign is banking on a successful showing in Michigan, where a weekend American Research Group poll ranked him in second at 17%, above Sens. Rubio and Cruz, who were each at 12%.

The Kasich campaign on Monday announced its Michigan team (full roster), which will be chaired by former congressman Pete Hoekstra, State Senate Majority Leader Arlan Meekhof, State House Speaker Pro Tempore Tom Leonard, and former RNC committeeman Chuck Yob.

With the field narrowing, Gov. Kasich is expected to face increasing calls to withdraw in an effort to consolidate support behind Sen. Rubio among establishment figures who hope to mount an effort to thwart Mr. Trump and Sen. Cruz from landing the nomination. Gov. Kasich's continued presence may siphon support that might otherwise be thrown at the freshman senator from Florida.

Kasich Gains/Loses Endorsements: On Sunday, the *Columbus Dispatch* reported that Kasich campaign Colorado co-chair B.J. Nikkel is endorsing Sen. Rubio. The paper quoted the former state lawmaker as saying "it's time for conservatives of conscience to rally behind the one man who can defeat New York billionaire Donald Trump."

At the same time, billionaire financier Stanley Druckenmiller threw his support behind Gov. Kasich, according to the *New York Times*.

"Mr. Druckenmiller confirmed in an email that he was supporting Mr. Kasich, but did not elaborate," the paper reported. "Last year, he donated more than \$450,000 to groups supporting Mr. Kasich, Gov. Chris Christie of New Jersey and former Gov. Jeb Bush of Florida."

It remains to be seen who, if anyone, Mr. Bush might endorse. A *Politico* report Sunday cited those close to Mr. Bush as saying a Kasich endorsement was "unlikely." But an endorsement of Sen. Rubio might also be a stretch considering the pair's increasingly contentious relationship on the campaign trail in recent months.

Gov. Kasich landed several endorsements in recent days, including those from former Pennsylvania Gov. Tom Ridge, former Massachusetts Gov. Bill Weld, former Nevada GOP Chairwoman Amy Tarkanian, and Nevada Speaker John Hambrick. Also endorsing the governor are the *Waco Tribune-Herald* and the *Corpus Christie Caller Times* of Texas.

The Kasich campaign Sunday announced it has hired Mike Schrimpf, formerly chief communicator for Illinois Gov. Bruce Rauner, to oversee its communication outreach. Kerry Knott, former chief of staff to former U.S. Majority Leader Dick Armey has been hired as the campaign's senior policy adviser.

Coming Soon: GOP candidates will next focus on Nevada, where caucuses will be held on Tuesday. A CNN debate is scheduled for Thursday, though qualifying criteria have not yet been announced.

After Nevada is a key March 1 date, when nine states hold primaries and three states hold caucuses in the so called SEC Primary. Primaries will be held that day in Alabama, Arkansas, Georgia, Massachusetts, Oklahoma, Tennessee, Texas, Vermont and Virginia. Alaska, Colorado and Minnesota have caucuses on March 1.

The Kasich-backing super PAC New Day for America on Monday announced the rollout of its national political operation which will involve more than 50 staff members and 14 officers across 12 March primary states.

Targeted states include Alaska, Arkansas, Georgia, Vermont, Virginia, Kentucky, Maine, Hawaii, Michigan, Mississippi, Ohio and North Carolina.

"Our Super PAC's focus on the ground game is unique and, just as we did in New Hampshire, we fully expect our team to impact the race for the nomination," New Day spokeswoman Connie Wehrkamp said. "We are strategically placing our focus and resources where we can make the biggest impact and ensure John Kasich, the one Republican who can win in November, is our nominee."

In a Monday Emerson poll of Massachusetts, conducted Feb. 19-21 with a 5.7 percentage point margin of error, Gov. Kasich placed third at 13%, behind Mr. Trump at 50% and Sen. Rubio at 16%.

Politics Notebook: Kasich Draws Attention For 'Kitchen' Remark, Signs PP 'Defund' Bill; Poll Shows 74% Of Ohioans Support Medicinal Pot...

Remarks from Gov. John Kasich on women leaving their kitchens to campaign for him drew quick backlash Monday, one day after the governor signed a bill to "defund" Planned Parenthood in Ohio.

The governor made the remark during a town hall in Fairfax, Va., as he sought to explain how he was elected to the Ohio Senate in 1978.

"We just got an army of people and many women who left their kitchens to go out and go door to door and put yard signs up for me," he said according to video that first caught attention.

The initial video, posted by a YouTube account that has released a handful of previous anti-Kasich videos, did not show how Mr. Kasich concluded the remark.

Subsequent video of the full remark added context, showing that Gov. Kasich went on to say that campaign occurred "all the way back when things were different. Now you call homes and everybody's out working. But at that time, early days, it was an army of the women that really helped me get elected to the state Senate."

Twitter users quickly seized upon the statement, followed closely by national media outlets.

Kasich for America spokesman Chris Schrimpf responded to the outcry, saying in a statement that the governor's campaigns have "literally been run out of his friends' kitchens and many of his early campaign teams were made up of stay-at-home moms who believed deeply in the changes he wanted to bring to them and their families."

"That's real grassroots campaigning and he's proud of that authentic support," Mr. Schrimpf said. "To try and twist his comments into anything else is just desperate politics."

The Ohio Democratic Party subsequently painted the governor as out of touch, accusing him of giving *Mad Men* television character and womanizer "Don Draper a run for his money."

The remarks came one day after the governor signed a bill (HB 294) to eliminate \$1.3 million in state funding to Planned Parenthood. (See Gongwer Ohio Report, February 10, 2016)

The Planned Parenthood Action Fund said the bill will have "devastating consequences for women" across the state.

"John Kasich is proudly eliminating care for expectant mothers and newborns; leaving thousands without vital STD and HIV testing, slashing a program to fight domestic violence, and cutting access to essential, basic health care," President Cecile Richards said. "It's clear Kasich has no regard for women's health or lives and will stop at nothing to slash health care for millions."

Ohio Right to Life, in contrast, praised the bill's signing.

"Thanks to the pro-life leadership of Gov. Kasich and his work with Ohio Right to Life, Ohio's abortion industry is shrinking," ORTL President Mike Gonidakis said. "As Planned Parenthood haggles over the hearts and brains of aborted babies, Ohio Right to Life is marking history with legislation that is both ethically consistent and fiscally responsible."

Pot Amendment: A poll released Monday by Marijuana Policy Project showed nearly three-fourths of Ohio voters support amending the constitution to legalize medical marijuana for those with terminal or debilitating petitions.

The poll, conducted by Public Policy Polling, shows that 74% of voters support a proposed amendment, with 22% opposed, according to a news release.

"It's become pretty common knowledge that marijuana can be incredibly beneficial in the treatment of a variety of medical conditions," Mason Tvert, a spokesman for Ohioans for Medical Marijuana, a committee that has been formed to support MPP's forthcoming ballot initiative, said in a statement.

"It's not surprising that a vast majority of voters agree patients should be allowed to consume it if their doctors think it could be helpful. There are few laws still on the books that are as unpopular as those that prohibit sick and dying people from accessing medical marijuana."

According to the poll, 85% of self-identified Democrats and 69% of self-identified Republicans said they supported legalizing medical marijuana.

Ohioans for Medical Marijuana is drafting a ballot initiative and expects to start the petition process later this month, according to the release. Another pro-marijuana group has already suspended its petition efforts in favor of supporting the MPP-backed proposal. (See Gongwer Ohio Report, February 19, 2016)

"Ohio's current marijuana policy is antiquated and inhumane," Mr. Tvert said. "We hope to give voters an opportunity to change that this November. We're confident that most Ohioans will support a well-written initiative that gives seriously ill people the right to use medical marijuana if their doctors recommend it."

8th Congressional District: Sen. Bill Beagle (R-Tipp City) on Sunday announced he has earned the support of Butler County Sheriff Richard Jones and Montgomery County Sheriff Phil Plummer in the race to succeed former U.S. Rep. John Boehner.

Sen. Beagle is among more than a dozen GOP candidates vying for the seat in an upcoming special election. Sen. Beagle and Rep. Tim Derickson (R-Oxford) are the two most high-profile contenders.

U.S. Senate Race: A poll from the Democratic polling outfit PPP shows U.S. Sen. Rob Portman (R-Terrace Park) battling weak approval numbers.

The poll found the senator with a 30-39% approval rating, placing him "very much in the danger zone for reelection based on those low approval numbers," according to the group.

Former Gov. Ted Strickland and Cincinnati Councilman PG Sittenfeld are competing in the Democratic primary for the chance to unseat Sen. Portman.

Mr. Sittenfeld on Friday criticized Gov. Strickland for failing to show up to a Monday event at the Cleveland City Club where Mr. Sittenfeld had hoped the candidates would debate. Gov. Strickland has repeatedly rebuffed Mr. Sittenfeld's calls for debates, saying he'd prefer to focus on competing with Sen. Portman.

Court Briefs: High Court Sets Execution Date; Visiting Judge To Hear Case; Web Site On Judicial Candidates Updated

The state's high court has set an execution date for a man convicted of the 2004 killing a Toledo woman who lived who lived in the same apartment complex.

In a 5-2 decision issued with no opinion, the court set an Oct. 17, 2019 execution date for James Frazier.

Justice Paul Pfeifer issued a dissent in the case. He was joined by Justice Terrance O'Donnell.

"At this time, the state is incapable of properly executing the 25 people for whom execution dates have previously been set. It serves no rational purpose for this court to continue to set execution dates while significant logistical obstacles remain in place and more legal challenges are likely," Justice Pfeifer wrote.

In October, the state pushed its earliest execution date back to 2017 due to difficulty in obtaining the drugs used for the lethal injection procedure. (See Gongwer Ohio Report, October 20, 2015)

The state currently has 11 executions scheduled for 2017, eight scheduled for 2018 and six scheduled for 2019.

Bipartisan legislation has been introduced in the House that would end capital punishment in Ohio. (See Gongwer Ohio Report, October 27, 2015)

Web Site Updated: Continuing the effort of Chief Justice O'Connor to create a more informed electorate when it comes to the judiciary, judicialvotescount.org has been updated to provide voters with information about the candidates that will be on the ballot this year, the court reported.

A total of 145 judicial seats will be on the ballot this year, including three Ohio Supreme Court seats, 27 court of appeals seats and 115 common pleas court seats.

The web site provides biographical information on candidates and explanations on why they are running for a particular office, according to the court.

Ran by the Ray C. Bliss Institute of Applied Politics at the University of Akron, the web site was created in the wake of 2014 survey that found many Ohio voters do not vote in judicial elections due to a lack of knowledge about the candidates, the court reported.

According to the chief justice, on average, about 25% of voters who go to the polls do not cast ballots for judicial candidates. In Cuyahoga County in 2012, she said, about 40% of voters neglected to vote for judicial candidates. (See Gongwer Ohio Report, February 11, 2016)

Other partners in the non-profit web site include Chief Justice O'Connor, the League of Women Voters of Ohio, the Ohio State Bar Association, the Ohio Newspaper Association and the Ohio Association of Broadcasters.

Visiting Judge: Tenth District Court of Appeals Judge Elizabeth Schuster will hear oral arguments Tuesday in a lawyer malpractice case.

Judge Schuster will fill in for Chief Justice Maureen O'Connor, who recused herself in the case of *Ratonek v. Roetzel & Andress*.

At issue in the case is whether a Dayton law firm can be used for malpractice for failing to pursue claims that were not in the written agreement but were discussed between the law firm and the client and whether it can be sued for malpractice if it pursues a legal claim sought by the client, but withdraws it and advises the client to seek other counsel to pursue the claim or represent themselves, according to the court.

The case stems from a malpractice lawsuit a California woman filed against another law firm after she claimed it caused her to lose \$1 million in a real estate transaction. The Dayton law firm was originally hired to represent her in that case.

Capitol Scene: Chabria To Leave Gov's Office, Join ORP; Staff Changes Announced At Buckeye Institute, AICUO, HPIO

Jai Chabria, a key executive staff member for Gov. John Kasich, is leaving the governor's office to work for the Ohio Republican Party.

Mr. Chabria has served as senior advisor to Mr. Kasich since he took office in 2011. That job entailed vetting Mr. Kasich's appointments, among other things.

"I am enormously grateful to Jai for his many years of friendship, counsel and outstanding public service to me and the people of Ohio," Mr. Kasich said in a statement. "While it is difficult to see Jai move on, I know that great things lie ahead for him in this next phase of his career. I look forward to our continued deep friendship."

Mr. Chabria's last day with the governor's staff is Friday. The Powell resident's job at ORP was described by the party as "a senior position that will oversee the preparation and planning for the Republican National Convention in Cleveland in July."

"The world spotlight will be on Cleveland in July as our party nominates the next President of the United States. It's a tremendous and exciting opportunity for Ohio," ORP Chairman Matt Borges said. "Jai is a seasoned professional with top notch experience. We are pleased to have him join our team as we plan and prepare for the convention."

AICUO: Andrew Lampkins has joined the staff of the Association of Independent Colleges and Universities of Ohio as director of external relations, the group announced recently.

He previously served dual roles with the Center for Healthy Families as the director of outreach and engagement and with Lardon & Associates as a director of business development.

Mr. Lampkins' prior experience includes serving as the community & small business manager for Vermont Energy Investment Corporation. The Otterbein University graduate

will be responsible for AICUO's affiliate member program, inter-college collaborations, events and educational programming, and the expansion of the group's member energy conservation and sustainability initiative.

Buckeye Institute: Daniel J. Dew has joined the staff of the Buckeye Institute for Public Policy Solutions as a full-time Criminal Justice Fellow, the group announced.

A published author on criminal justice issues and a former Visiting Legal Fellow at The Heritage Foundation in Washington, D.C., Mr. Dew will focus on efforts to revise Ohio's criminal code and updating the state's civil asset forfeiture law, among other things, according to the institute.

"Daniel is a national expert on criminal law, and we are pleased to bring him on to expand Buckeye's capacity to formulate sound criminal justice policy for Ohio that can be easily replicated in other states," institute President and CEO Robert Alt said in a release.

HPIO Hire: Former state employee Rebecca Sustersic has been hired as a policy analyst with the Health Policy Institute of Ohio, the group announced recently.

Reem Aly and Amy Bush Stevens have been promoted to vice president and Sarah Bollig Dorn has been promoted to manager, Health Policy and Education, the group said.

Ms. Sustersic was previously employed at the Ohio Bureau of Workers' Compensation for three years, first as a health care policy analyst and more recently as manager of medical reimbursement and coding policy, according to HPIO. She holds degrees from Ohio State University and Bowling Green State University. Ms. Sustersic also served as a Legislative Service Commission fellow in 2009.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Supplemental Agency Calendar

Tuesday, February 23

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Thursday, February 25

Ethics Commission, Rm. G, 3rd Fl., 30 E. Spring St., Columbus, 12 p.m.

Supplemental Event Planner

Tuesday, February 23

Quinnipiac University to release poll of Ohio likely voters on presidential primary
Ohio senators, faith leaders, others
news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse,
Columbus, 11 a.m.

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House Activity for Monday, February 22, 2016

INTRODUCED

HB 471 ■ **COMMISSION ELIMINATION** (Brown, T.) To formally abolish certain boards and commissions that have completed their work and to abolish the Compact with Ohio Cities Task Force.

HB 472 ■ **RENEWABLE ENERGY** (Strahorn, F.) To unfreeze the requirements for renewable energy, energy efficiency, and peak demand reduction, to permit changes in and Public Utilities Commission action on electric distribution utility portfolio plans in 2016, to revise the setback requirement for economically significant wind farms, and to repeal the setback requirement for wind farms of fifty megawatts or more.

CALENDAR FOR COMING SESSION

SB 124 ■ **AWARENESS DAY/MONTH** (Thomas, C.) To designate May as "Asthma Awareness Month" and to designate May 5 as "Childhood Asthma Awareness Day."

HB 241 ■ **MONTH DESIGNATION** (Grossman, C., Curtin, M.) To designate the month of September as "Hunger Action Month."

HB 290 ■ **TERMINAL PATIENTS** (Sprague, R., Anielski, M.) To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician.

HB 305 ■ **RETIREMENT SYSTEMS** (Schuring, K.) To include new nonteaching employees of The University of Akron as members in the Public Employees Retirement System and to make an appropriation for the University's School Employees Retirement System employer surcharge payments.

HB 325 ■ **DRUG ADDICTION TREATMENT** (Green, D., O'Brien, S.) Regarding encouraging pregnant women who are addicted to controlled substances to seek treatment.

HCR 21 ■ **DD EMPLOYMENT SERVICES** (Romanchuk, M., Antonio, N.) To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops.

SIGNED BY THE GOVERNOR

HB 294 ■ **ABORTION** (Patmon, B., Conditt, M.) To require the Department of Health to ensure that state funds and certain federal funds are not used either to perform or promote nontherapeutic abortions, or to contract or affiliate with any entity that performs or promotes nontherapeutic abortions; to provide for health departments and WIC clinics to determine presumptive eligibility for pregnant women and children; and to allocate existing funding within the Ohio Department of Health's budget to the Ohio Association of Community Health Centers for safe sleep, birth spacing, and smoking cessation initiatives.
Signed: February 21, 2016
Gongwer Coverage

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Senate Activity for Monday, February 22, 2016


SENATE PRESIDENT'S APPOINTMENTS

Legislative Committee on Public Health Futures: Appoint Sen. Yuko and Carla Hicks

Capitol Square Review & Advisory Board: Appoint Sen. Peterson to replace former Sen. Widener

Sunset Review Committee: Appoint Sen. Coley to replace former Sen. Widener

SIGNED BY THE GOVERNOR

SB 260  **CAPITAL REAPPROPRIATIONS (Coley, B.)** To make capital reappropriations for the biennium ending June 30, 2018.
(Enacted) Signed: February 21, 2016

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Daily Activity Planner for Tuesday, February 23

Legislative Committees

House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9 a.m.

- HB 455** **BOARDING SCHOOL ZONE** (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (1st Hearing-Sponsor)
- HB 407** **BODY CAMERAS** (Boyce, K., Grossman, C.) To require law enforcement agencies that use body cameras to adopt written policies for operation of the cameras and to require agencies to make the adopted policies available to the public. (2nd Hearing-Proponent)
- HB 361** **COMMUNITY EVENT FUNDING** (Brenner, A.) To authorize boards of township trustees and boards of park commissioners to expend funds for the public purpose of presenting community events in their parks and at other recreational facilities. (3rd Hearing-All testimony-Possible amendments & vote)
- HB 375** **SNOW REMOVAL** (Brown, T., Arndt, S.) To authorize townships to require the removal of snow and ice from sidewalks abutting property and to impose a fine for failure to do so. (3rd Hearing-Opponent & interested party)
- HB 333** **BIDDING THRESHOLDS** (Schaffer, T., Hambley, S.) To increase the monetary thresholds above which competitive bidding is required for township road construction, repair, or maintenance contracts, and to increase the monetary thresholds above which a force account assessment is required for a township road construction, repair, or maintenance project. (3rd Hearing-Opponent & interested party)
- HB 378** **TRAFFIC ARRESTS** (Hambley, S., Rezabek, J.) To authorize law enforcement officers of township police districts and joint police districts, and township constables, serving specified small populations to make arrests for motor vehicle-related violations committed on an interstate highway in the same manner as township law enforcement officers serving larger populations. (3rd Hearing-Opponent & interested party)
- HB 413** **EXECUTIVE SESSION** (Brinkman, T.) To add to the purposes for which a board of township trustees may go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize a township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other changes to the township laws, to allow taxing units to use the proceeds of a

fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds. (3rd Hearing-Opponent & interested party)

HB 462

POLICE DISTRICT (Hagan, C., Sprague, R.) To establish a joint police district, to modify the membership of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (1st Hearing-Sponsor)

Senate Ways & Means (Committee Record) (Chr. Peterson, B., 466-8156), South Hearing Rm., 9 a.m.

HB 9

TAX EXPENDITURES (Boose, T.) To create a Tax Expenditure Review Committee for the purpose of periodically reviewing existing and proposed tax expenditures. (3rd Hearing-All testimony)

SB 264

TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (2nd Hearing-All testimony-Possible amendments & vote)

HB 233

REDEVELOPMENT DISTRICTS (Schuring, K.) To authorize municipal corporations to create downtown redevelopment districts and innovation districts for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixed-use areas, and supporting grants and loans to technology-oriented and other businesses. (3rd Hearing-All testimony-Possible amendments & vote)

House Transportation & Infrastructure (Committee Record) (Chr. Boose, T., 466-9628), Rm. 122, 9:30 a.m.

SB 182

ROAD NAMING (Balderson, T., Peterson, B.) To designate a portion of United States route twenty-three within Pickaway County as the "Army Specialist Gerald R. Jenkins Memorial Highway" and a portion of United States route sixty-two within Pickaway County as the "Army PFC Kevin C. Ott Memorial Highway." (1st Hearing-All testimony-Possible amendments, substitute & vote)

HB 461

LICENSE PLATE (Roegner, K.) To establish the Cuyahoga Valley National Park license plate and to require a \$15 contribution for the issuance of the license plate. (1st Hearing-Sponsor)

Senate Insurance (Committee Record) (Chr. Hottinger, J., 466-5838), South Hearing Rm., 10:30 a.m.

HB 207 **WORKERS COMPENSATION (Henne, M., McColley, R.)** To allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience (1st Hearing-Sponsor)

SB 273 **CORPORATE GOVERNANCE (Bacon, K.)** To enact the Corporate Governance Annual Disclosure Act. (1st Hearing-Sponsor)

SB 27 **FIREFIGHTER CANCER (Patton, T.)** To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (3rd Hearing-Opponent & interested party)

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

Senate Public Utilities (Committee Record) (Chr. Seitz, B., 466-8068), North Hearing Rm., 11 a.m.

- **Confirmation hearing on governor's appointment of Andre Porter, chairman, Public Utilities Commission of Ohio**

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 11:30 a.m. or after session

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11:30 a.m.

House Ways & Means (Committee Record) (Chr. McClain, J., 644-6265), Rm. 121, 1:30 p.m. or after session

HB 334 **TAX EXEMPTION (Buchy, J.)** To exempt memberships to gyms or other recreational facilities operated by nonprofit organizations from sales and use taxation. (3rd Hearing-All testimony-Possible amendments & vote)

HB 297 **TAX CREDIT (Hill, B.)** To authorize a refundable income tax credit for current livestock owners who invest in a manure storage or treatment facility or acquire manure application equipment or manure handling and transportation equipment. (2nd Hearing-Proponent)

House Government Accountability & Oversight (Committee Record) (Chr. Brown, T., 466-8104), Rm. 114, 1:30 p.m.

HB 444 **ALCOHOL SAMPLES (Blessing, L.)** To allow certain D liquor permit holders to provide free tasting samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (1st Hearing-Sponsor)

HB 351 **LIQUOR LAWS (Perales, R., DeVitis, T.)** To increase the amount of spirituous liquor that an A-3a liquor permit holder may annually manufacture and to allow an A-3a permit holder to obtain an A-1-A liquor permit. (6th Hearing-All testimony-Possible amendments & vote)

HB 278 **HUMANE SOCIETIES** (Hambley, S.) To require approval by the board of county commissioners, instead of the probate judge, of appointments of agents by county humane societies outside a municipal corporation, to specify that a county humane society is a political subdivision, to make its directors, agents, officers, and employees subject to the Ethics Law, and to increase the salaries paid to the agents. (3rd Hearing-Opponent)

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

House Education (Committee Record) (Chr. Brenner, A., 466-6711), Rm. 121, 2 p.m. or after session

- **SB3 and ODE presentation removed from the agenda**

HB 441 **SCHOOL ACTIVITIES** (McColley, R.) To permit a student enrolled in a nonpublic school to participate in interscholastic activities at a school district that is not the student's resident district under certain circumstances and to prohibit a student who participates in the College Credit Plus program from being denied the opportunity to participate in interscholastic athletics solely due to participation in the program. (1st Hearing-Sponsor)

HB 383 **FINANCIAL LITERACY** (Hagan, C., McColley, R.) To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (2nd Hearing-Sponsor)

HB 401 **PRIVATE SCHOOLS** (Brinkman, T.) With regard to requirements for chartered nonpublic schools. (3rd Hearing-Proponent)

HB 410 **TRUANCY** (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (3rd Hearing-All testimony)

Senate State & Local Government (Committee Record) (Chr. LaRose, F., 466-4823), North Hearing Rm., 2:30 p.m. or after session

SB 257 **REAL PROPERTY** (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (1st Hearing-Sponsor)

HB 359 **ADDRESS CONFIDENTIALITY** (Duffey, M., Gonzales, A.) To create an address confidentiality program for victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery. (1st Hearing-Sponsor)

HB 158 **DISABILITY TERMS** (Dever, J., Howse, S.) To change the variations of the term "mentally retarded" to "person with an intellectual disability." (1st Hearing-Sponsor)

- HB 242** **DAY DESIGNATION** (Hagan, C., Dever, J.) To designate the fourth Sunday of July as Blue Star Mothers Day. (2nd Hearing-All testimony-Possible vote)
House Judiciary (Committee Record) (Chr. Butler, J., 644-6008), Rm. 116, 3:30 p.m.
- HB 347** **CIVIL FORFEITURES** (McColley, R., Brinkman, T.) To eliminate civil asset forfeiture proceedings and to modify the law governing criminal asset forfeitures. (7th Hearing-Possible amendments & vote)
- SB 215** **VEHICLE FORCIBLE ENTRY** (Hughes, J., LaRose, F.) To grant a person immunity from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm. (1st Hearing-Sponsor)
- HB 446** **OVI OFFENSES** (Manning, N.) To specify that the prison term that may be imposed for a third degree felony operating a vehicle while intoxicated ("OVI") offense is a definite period of twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months, to add "harmful intoxicant" to the definition of "drug of abuse" for the purposes of commercial driver's licensing law, to allow a person to assert the existing affirmative defense of driving in an emergency with regard to a prosecution for driving under a suspended driver's license under specified laws, and to specify that certain enhanced penalties for speeding violations apply regardless of whether the offender previously has been convicted of or pleaded guilty to speeding. (1st Hearing-Sponsor-Possible amendments)
- HB 451** **PROTECTION ORDERS** (Boose, T.) To provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (2nd Hearing-Sponsor-Possible amendments)
- HB 439** **VOYEURISM** (Anielski, M.) To include an impaired person as a victim of voyeurism and to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (2nd Hearing-Proponent)
- HB 432** **ESTATE LAW** (Rezabek, J.) To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act. (2nd Hearing-Proponent)
- HB 436** **DUI SENTENCES** (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (2nd Hearing-Proponent)
- HB 222** **TRANSIT WORKER ASSAULTS** (Driehaus, D., Perales, R.) To increase the penalty for assault when the victim is an employee of an Ohio transit

system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; to permit the court to impose a fine of up to \$5000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; to authorize Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and to increase the penalty for evading payment of the known fares of a public transportation system. (2nd Hearing-Proponent)

HB 363

JUVENILE HEARINGS (Reece, A.) To require restraints to be removed from an alleged or adjudicated delinquent child prior to the commencement of a juvenile court hearing or proceeding unless the court determines that the use of restraints is necessary to prevent physical harm to the child or another person or to prevent the child from escaping. (2nd Hearing-Proponent)

House Armed Services, Veterans Affairs & Public Safety (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

HB 173

VETERAN IDENTIFICATION (Anielski, M., Terhar, L.) To authorize county recorders to issue Ohio veterans identification cards. (4th Hearing-All testimony-Possible substitute & vote)

HB 295

LICENSE PLATE (Ruhl, M.) To create the "Global War on Terrorism Civilian Service Medal" license plate. (2nd Hearing-All testimony-Possible vote)

HB 104

LICENSE PLATE DISPLAY (DeVitis, T.) To specify that failure to display a license plate on the front of a motor vehicle that is required to display a license plate on the front and rear of the vehicle is a secondary traffic offense, to establish a maximum fine of \$25 for such an offense, and to amend the version of section 4503.21 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date. (3rd Hearing-Possible vote)

HB 388

OVI OFFENSES (Scherer, G.) To authorize a court to grant unlimited driving privileges with an ignition interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses. (3rd Hearing-All testimony)

Sunset Review Committee (Committee Record) (Chr. Brown, T., 466-8104), South Hearing Rm., 3:30 p.m.

- **Agency reports from Reclamation Commission, Reclamation Forfeiture Fund Advisory Board, Board of Cosmetology, Optical Dispensers Board, Child Care Advisory Council, Child Support Guideline Advisory Council, Children's Trust Fund Board, Unemployment Compensation Advisory Council, State Victims Assistance Advisory Committee, Ohio Expositions Commission, Data Collection and Analysis Group, Dentist Loan Repayment Advisory Board, Help Me Grow Advisory Council, Hospital Measures Advisory Council, Infant Hearing Screening Subcommittee, Infection Control Group, Intergovernmental Council**

and Advisory Panel of the Lupus Educational and Awareness Program, Legislative Committee on Public Health Futures, Maternity and Newborn Advisory Council, Medically Handicapped Children's Medical Advisory Council, Physician Loan Repayment Advisory Board, Radiation Advisory Council, The Director of Health's Advisory Group on Violent Deaths, The Director of Health's Committee on Concussions and Head Injuries Sustained by Athletes, Council to Advise on the Establishment and Implementation of the Birth Defects Information System and Ohio Medical Quality Foundation

Agency Calendar

Board of Landscape Architects, 77 S. High St., 31st Flr. Board Room, Columbus, 9 a.m.

Southern Ohio Agricultural & Community Development Foundation, Foundation Office, 100 S. High St., Hillsboro, 9:30 a.m. (Agriculture Development Subcommittee)

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Southern Ohio Agricultural & Community Development Foundation, Foundation Office, 100 S. High St., Hillsboro, 11:30 a.m. (Educational Subcommittee)

Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 4 p.m.

Event Planner

Nevada Republican caucuses

Ohio Federation of Soil and Water Conservation Districts' (OFSWCD) 73rd annual conservation partnership conference, Renaissance Hotel, 50 N. 3rd St., Columbus
Quinnipiac University to release poll of Ohio likely voters on presidential primary
Cincinnati USA Regional Chamber Legislative Breakfast Reception, Athletic Club of Columbus, 136 E. Broad St., Columbus, 9:30 a.m.

Ohio senators, faith leaders, others news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse, Columbus, 11 a.m.

Rep. John Bocchieri (D-Poland) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to John Bocchieri for Ohio Committee)

Ohio Council of Retail Merchants annual legislative reception, The Lounge at the Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m.

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual \$350 to Citizens for Lehner)

Sen. Frank LaRose (R-Copley) fundraiser, Athletic Club of Columbus, The Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual Attendee: \$350 to LaRose for Senate)

Rep. Stephen Slesnick (D-Canton) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to Committee to Elect Stephen Slesnick)

Rep. Jim Butler (R-Oakwood) and Sen. Bill Seitz (R-Cincinnati) fundraiser, Athletic Club of Columbus, Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio and/or Seitz for Senate Committee)

Conservative Energy Day Reception, Statehouse Museum Gallery, Columbus, 5:30 p.m., (RSVP to Mike Hartley at mike@swingstatestrategies.com)

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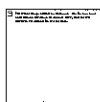
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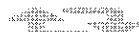
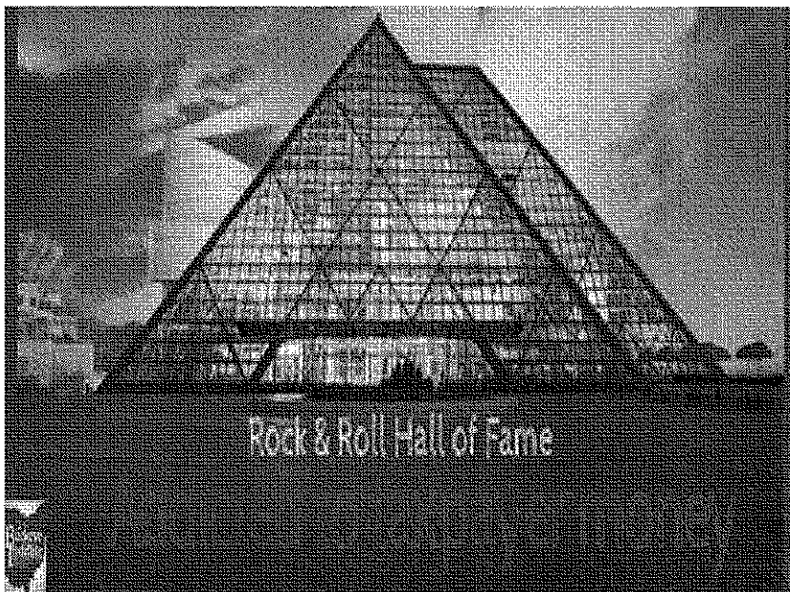
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Buckeye Institute
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Mar 01

\$125 million in taxpayer subsidies so far.
Time to cut off this rock legend?
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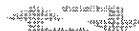
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Mar 07

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Attachments: Mar21.htm; Mar21House.htm; Mar21Senate.htm;
160321dayplan.htm



Ohio Report for Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs

Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure

Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent

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Politics Notebook: Ramos Looks To Add Early Voting Sites; Portman On Air With Web Ad, Defends Supreme Court Decision; Clyde Up For Award

Capitol Scene: Former Dispatch Editor Marrison Joins Yost Team

Attorney General's Opinion

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Senate

Calendars

Day Planner

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Volume #85, Report #54 -- Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs

For more than a year and a half, AEP and FirstEnergy have waited for the Public Utilities Commission's orders on their controversial Power Purchase Agreements - decisions that have been expected to be made in the first quarter of 2016.

But with just one more meeting of the PUCO scheduled for this month, it's possible the wait for one or both decisions could stretch into the second quarter.

The PUCO is scheduled to meet just once more this month - a March 30 meeting for which the agenda has not yet been finalized. The commission will not meet March 23.

Whether the agenda will include one or both cases hasn't yet been determined, but PUCO spokesman Matt Schilling said any belief the ruling will come in the first quarter has been conjecture.

"For what it's worth the commission's never indicated when a decision may be," Mr. Schilling said. "There is lots of speculation out there, but we don't know."

The companies involved and their opponents have been anticipating first quarter orders. Should a decision not come in two weeks' time, the cases a year and a half or more in the making would be poised to continue.

The utilities are hopeful a decision arrives sooner, rather than later. In FirstEnergy's case, for example, the company has two energy auctions scheduled in April under the Electric Security Plan scheduled to begin June 1.

"So we're very hopeful we can get an order in this case so we can proceed with these auctions," spokesman Doug Colafella said. "Because as of June 1, we don't have power supply purchased for our customers."

"I think everyone is hopeful a decision may come as of next meeting. But obviously it's up to commission to put it on the agenda."

AEP spokeswoman Tammy Ridout said the company is "hopeful the commission will issue an order quickly."

"They have all the evidence in hand and we think they should approve the settlement agreement we've proposed," she said. "It's been a long process and we're ready for it to move forward,"

Potentially complicating matters is the ongoing complaints against both PPAs before the Federal Energy Regulatory Commission. The Ohio Consumers' Counsel in February urged the PUCO to delay ruling until the FERC cases are settled. (See Gongwer Ohio Report, February 17, 2016)

In their latest filing, the Electric Power Supply Association argued that the companies have failed to rebut the concerns raised in the complaints and FERC "should issue an order as soon as possible granting the complaints."

The group cites opposition from PJM, the Pennsylvania Public Utility Commission, the Northwest Ohio Aggregation Council and others as showing the merits of its case.

"It is rare to see these parties and suppliers in complete agreement on wholesale market issues, and that they are should be a clear sign that, to paraphrase Shakespeare, something is rotten in the state of Ohio," the group wrote.

In their testimony, AEP and FirstEnergy both argue FERC has no jurisdiction in the matter and that the complaints are baseless because the allegations of consumer harm are "misplaced." (See Gongwer Ohio Report, February 24, 2016)

Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure

Controlling Board members approved \$92,500 in funding for the Secretary of State's office to hold elections training in Cleveland, though one lawmaker questioned why the event wasn't slated for Columbus.

The training event has recently been held either in Columbus as a two-day event or at five locations around the state as one-day events. Rep. Hearcel Craig (D-Columbus) asked if having the event in Cleveland could affect turnout for people in distant parts of the state. If turnout is low, he said, it could mean the office would have to come back before the board for more money.

Veronica Sherman, chief financial officer for the secretary of state's office, said she didn't expect to need more money.

"I think the cost that we have laid out here is the high end of the parameter and we would not expect to have to come back for more money," she said.

The office wanted to have only one event because it allows for more intensive training, she said.

Sen. Tom Sawyer (D-Akron) questioned part of a request from the Department of Education for \$3.2 million over two years for teacher certification and licensure, which includes the Office of Professional Conduct. The proposal cited an increase in the number of open cases, partially because of high-profile data manipulation scandals.

Sen. Sawyer asked if the department was targeting any particular types of schools or other programs in investigating data manipulation. Aaron Rausch, the department's director of budget and school funding, said they focused on individuals, not broad types of school districts.

"We appreciate that you don't want to go out on a witch hunt, but having said that, knowing that you're well targeted gives us more comfort," Sen. Sawyer said.

Mr. Rausch said the data manipulation cases are part of the increased load at the Office of Professional Conduct, but are not the only reason for the increase. Other things that have increased the caseload include a program that tracks the backgrounds of teachers and employees after they have been hired, finding any new hits to their record while they are working.

"Just in general there has been an increase in the caseload of the Office of Professional Conduct," he said.

The Controlling Board also approved a new contract the Department of Administrative Services reached with the Fraternal Order of Police Ohio Labor Council. The contract covers more than 500 employees statewide in eight state agencies, said Kristen Rankin, interim deputy director for the Office of Collective Bargaining.

The contract runs through June 30, 2018, and is similar to past contracts, though changes include switching from an annual clothing allowance to reimbursement and modifying the drug-free workplace policy to prohibit employees from working if they have blood alcohol contents above 0.02.

A request for \$1.45 million from the Development Services Agency for programs aimed at revitalizing distressed communities was deferred at the agency's request.

Other items approved by the board included requests for (Agenda):

- \$4.4 million from the Court of Claims for the payment of a wrongful imprisonment settlement for Kwame Ajamu, formerly Ronnie Bridgeman, and Wiley Bridgeman.
- \$615,852 from the Department of Natural Resources for geological mapping.
- \$1.9 million from the Ohio State University for a higher education system maintenance and upgrade project. The system manages data on student enrollment, courses, financial aid and more.
- \$3.1 million from OSU for roof and electrical repairs for three buildings on the Marion campus.
- \$4 million from the Development Services Agency for affordable housing assistance grants.

- \$1.9 million from the Ohio Environmental Protection Agency for a number of projects to clean up polluted sites.

Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent

Although he was an outsider in a primary race against an incumbent, businessman Craig Riedel has had no shortage of attention from Columbus since winning his bid to head to the statehouse in January.

The Defiance Republican edged out Rep. Tony Burkley (R-Paulding) in last week's primary to represent Defiance, Paulding, Van Wert and part of Auglaize counties.

Lacking a Democrat competitor in the November election, Mr. Riedel, 49, will be headed to the Statehouse next year. After a brief hiatus from campaigning, he said he'll begin crafting his agenda by meeting with fellow lawmakers who've already begun courting him.



Craig Riedel

"I'm in a major learning curve right now. I'm going to take the summer to meet with those other representatives who've reached out to me that want to talk to me and let me know what I might expect as to how things operate," said the newcomer, who had never run for a political office before retiring from a management position at Nucor Corporation in July to pursue the House seat.

Mr. Riedel said he'll also be familiarizing himself with the capital city, having only spent a brief amount of time at the Statehouse during the last General Assembly.

Ironically, that visit was a "shadowing" of Rep. Burkley while the incumbent performed his state rep duties. Unbeknownst to his host, Mr. Riedel would soon be angling for his job.

Mr. Riedel said he asked Mr. Burkley for the opportunity because he wanted to learn more about the legislature.

When the House GOP first threw its financial support behind Rep. Burkley, Mr. Riedel said he was confused because no one in the party had gotten to know him. (See Gongwer Ohio Report, January 4, 2016)

It's customary for both parties to protect their incumbents, especially in key elections where candidates have well-financed and organized campaigns like that of Mr. Riedel. However, the winner of Tuesday's election said he was able to pull off a victory despite the powers-that-be because voters trust him.

"I think the people we met, they saw the sincerity in my words and my life and they had the confidence in me that I was going to go to Columbus and truly represent them and that I would not be afraid to be criticized or that I wouldn't be afraid to go against the line when I felt it was necessary," he said.

At the risk of upsetting the party, Mr. Riedel said that while he's planning to vote mostly with his peers, he won't be afraid to lead on conservative issues that haven't yet been tackled, such as making Ohio a so-called "right to work" state.

Working with Nucor Corporation for 27 years, he said he saw a number of businesses choose to settle in neighboring states such as Indiana or Michigan because workers in those states are not required to join unions.

"I understand why unions may be necessary but what I believe is an individual should have a right to choose whether or not they want to belong to a union or not," he said. "I think it's wrong that you're required in Ohio to join a union if there is a union in your facility. You should have that freedom of choice."

Working in private business his entire career, Mr. Riedel said he understands how important teamwork is to being successful, however sticking to one's principals is just as important.

"I'm always going to be very respectful and of the Republican Party and I'm very conservative, but I'm always going to do what I think is right and there are going to be times when that goes divergent from what the Republicans would like me to do," he said.

"My bosses are my God and the constituents of the 82nd House District. That's who I'm going to answer to. I'm always going to do what I believe is the right thing to do," Mr. Riedel continued.

Having already knocked on the doors of 4,400 constituents with his wife, Danette, leading up to the election, he said he'll continue meeting with people in his district and find out what issues they care most about.

Another priority will be meeting with business and civic groups to determine the best way to meet his goals of reducing taxes and business regulations as well as spurring economic development, Mr. Riedel said.

Kasich Lags In Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...

Gov. John Kasich trails competitors Sen. Ted Cruz (R-Texas) and billionaire Donald Trump in the race to secure enough delegates to secure the Republican Party's nomination for president.

He also trails in the money race.

Gov. Kasich reported \$1.25 million on hand at the beginning of March, according to his latest campaign finance report filed with the Federal Election Commission. In February, he raised \$3.4 million and spent \$3.6 million.

Sen. Cruz began the month of March with \$8 million on hand. He raised \$11.8 million and spent \$17.5 million in February.

Mr. Trump had \$1.6 million on hand at the beginning of March. He raised just \$2 million in February, but loaned his campaign nearly \$7 million during the month, bring the total to \$24.3 million since entering the campaign. He spent \$9.5 million in February.

Garland: Over the weekend, the governor was forced to walk back a comment he made about President Barack Obama's pick to fill the seat of former U.S. Supreme Court Justice Antonin Scalia.

During a taped interview for CBS' "Face the Nation," Gov. Kasich suggested he would consider nominating Merrick Garland to a seat on the bench.

He later said that statement was made "in an effort to be polite."

"Look, you know, Garland's - I'm going have my own picks for Supreme Court," he said. "You know, the fact is, I said that they ought to meet him and talk to him, and I'm not going to pick somebody who's, you know, obviously not a respecter of the Second Amendment. I don't want people making law and so nobody should be confused, worked up or upset. He's not going to be my pick for the Supreme Court."

Also, during a taped interview on NBC's "Meet the Press," Gov. Kasich ruled out the possibility of being the running mate of either Sen. Cruz or Mr. Trump.

Leadership Team: Ahead of Tuesday's primary contest in Arizona, Gov. Kasich announced his leadership team there that includes two state lawmakers, two former chiefs of staff to governors, a disability rights advocate and several activists.

"We have a great team in Arizona," Gov. Kasich said. "I am very appreciative of their help to share our positive message to strengthen our country and bring real solutions to the America people."

Campaign Stops: Gov. Kasich on Monday was one of four presidential candidates scheduled to address the American Israel Public Affairs Committee Policy Conference.

In his speech to AIPAC, Gov. Kasich made a pitch based on experience, according to *Politico*.

On Wednesday, he is scheduled to hold a town hall event in Wisconsin, where he picked up the endorsement of former Treasurer Jack Voight.

Draft Kasich Movement: According to *New York Times Magazine* writer Robert Draper, the GOP establishment is not rushing to get on board the bandwagon for Gov. Kasich to secure the party's nomination in a brokered process.

According to Mr. Draper, party insiders are rejecting the movement because of his poor showing in most states, along with his support for Medicaid expansion and embrace of Common Core, despite helping to balance the budget as chairman of the House Budget Committee.

"But there's a third layer of resistance to Kasich, one with which Cruz can identify: Many Beltway Republicans don't like him," he writes.

"No doubt Chairman Kasich's strict budgets made life unpleasant for a few lobbyists. But so did his demeanor - which, D.C. veterans say, was often sanctimonious and rude," he continued.

Campaign Continues: Despite needing more than 100 percent of remaining elected delegates to secure the party's nomination, Gov. Kasich on Monday again reiterated that he has no plans to get out of the race.

Speaking on CNN's "New Day" on Monday morning, the governor said a brokered convention will be "an extension of this primary process."

"If I'm the only one that can beat Hillary in the fall, why would anybody say I should leave? I mean that's just -- that's nuts," he said.

Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds

Attorney General Mike DeWine on Monday rejected petition language for a ballot measure to make medicinal marijuana legal in Ohio.

The petition, Medicinal Cannabis and Industrial Hemp Amendment, was submitted by Grassroots OH with more than 2,000 signatures.

However, Mr. DeWine found two defects in the summary language, including the lack of references to proposed amendment language that "industrial hemp and medicinal cannabis shall be researched, regulated, and promoted by the state in a manner substantially similar to other agricultural crops" and another section that states 21-year-olds have "equal opportunity to access, ownership, and employment."

On Friday, Mr. DeWine rejected petition language filed by Ohio Medical Cannabis Care LLC based on 11 defects. (See Gongwer Ohio Report, March 18, 2016)

Since 2011, Mr. DeWine has rejected petition language for 13 measures dealing with marijuana.

A decision on the proposed language of another medical marijuana ballot measure is scheduled to be released Friday.

JCARR: Amid concerns raised by some municipalities, the Joint Committee on Agency Rule Review put off a hearing on Ohio EPA rules that came out of legislation (SB 1) designed to deal with toxic algal bloom in Lake Erie.

The regulations include monitoring and reporting of harmful algal blooms in public water systems.

"We just felt there had to be a few more questions asked," Chairman Sen. Joe Uecker (R-Loveland) said following the meeting.

According to Sen. Uecker, the rules are expected to be back on the agenda for review at the April 4 meeting.

Bureau of Workers' Compensation: A Lake County man was convicted of workers' compensation fraud after the agency's Special Investigations Department captured video of him working as a handyman.

Mark Walker, who was receiving temporary total disability, was ordered to repay nearly \$75,000 in benefits he collected over a five-year period. He was also sentenced to 12 to 18 months incarceration, which was suspended for three years of community control.

"The purpose of temporary total disability is to give injured workers time to recuperate, and work activity during that recovery period is prohibited," BWC Administrator/CEO Steve Buehrer said. "Mr. Walker deceptively returned to employment for several years and continued to collect thousands of dollars from BWC."

Secretary of State: The Ballot Board is scheduled to meet Wednesday and will take up two ballot measures, one a proposed initiative designed to boost the clean energy industry and the other a proposed constitutional amendment that would ban former lawmakers from lobbying for two years after leaving office, and cap most legislators' pay at the annual median household income in Ohio.

Sebring Water Grant: The U.S. Department of Agriculture has awarded the Village of Sebring a \$400,000 grant to assist with water quality improvements, a development welcomed by state and federal lawmakers.

"This grant will help provide much needed upgrades to Sebring's water system but the work is far from over," Senate Minority Leader Joe Schiavoni (D-Boardman) said in a statement. "We need to acknowledge that water quality issues will continue to plague our communities until our state makes an honest investment into fixing our crumbling underground water and sewer infrastructure."

U.S. Sen. Rob Portman stated, "I'm pleased that federal authorities are helping Sebring ensure its water supply is safe. As we move forward, I hope the Senate will act in a bipartisan way to help Ohio and other areas of the country who have similar needs. I will continue to work in a bipartisan manner to ensure that all Ohioans have access to clean and safe drinking water."

Lead-tainted water in the village and officials' slow reaction in alerting residents has lead to fallout at the local level, where the Ohio EPA announced violations, and at the state level, where two agency employees were fired following a review of the circumstances. (See Gongwer Ohio Report, February 17, 2016)

At the federal level, both Mr. Portman and U.S. Sen. Sherrod Brown (D-Avon) have backed related legislation on clean water issues, which have come to the forefront in recent months due to lead tainted water in Flint, Mich., Sebring and elsewhere. (See Gongwer Ohio Report, February 3, 2016)

Politics Notebook: Ramos Looks To Add Early Voting Sites; Portman On Air With Web Ad, Defends Supreme Court Decision; Clyde Up For Award

One state lawmaker is advocating for an increased number of early voting sites.

Rep. Dan Ramos plans legislation that would allow counties to have one early voting location for every 60,000 residents. The additional early voting sites would require the approval of a county board of commissioners or, in case of Cuyahoga and Summit counties, the chartered governing body.

"With early voting for the primary recently concluding in Ohio, I believe it is time to examine and address an inequality in the system," he said. "With such variation in population, a 'one-size fits all' approach that limits the number of early voting centers does not adequately encourage public participation in the democratic process."

Under the proposal, 23 counties would be eligible to open at least one additional early voting center, according to Rep. Ramos.

"Voting is a right central to what makes us American, and this bill expands access to that right," Ramos said. "Allowing more early voting locations closer to home will benefit both

suburban and township voters outside of the city center, as well as lower income voters with limited transportation options."

Senate Race: The campaign of Sen. Rob Portman (R-Terrace Park) is up with a web ad touting his work to help Hebron-based ArmorSource secure a federal contract.

According to the ad, the company has added 200 jobs since inking the deal.

In a Sunday op-ed for the *Cincinnati Enquirer*, Sen. Portman defended his decision to join with fellow Senate Republicans in refusing to hold hearings on President Barack Obama's choice to fill the seat of former Supreme Court Justice Antonin Scalia.

"I have concluded that the best thing for the country is to trust the American people to weigh in and to have the confirmation process take place in a less partisan atmosphere," he wrote. "Awaiting the result of a democratic election, rather than having a nomination fight in this contentious election-year environment, will give the nominee more legitimacy and, as then - Senator Biden pointed out, better preserve the institutional credibility of the Senate and the court."

The decision has earned praise from the Judicial Crisis Network, which is launching a \$2 million TV, radio and digital ad campaign in six states, including Ohio.

"The goal of this effort is to inform and alert the citizens of Ohio that in opposing President Obama's third liberal nominee to the Supreme Court, Senator Portman is also opposing liberal domination of the court and that, with the presidential election so close, he is right to allow the people of Ohio a voice in this lifetime appointment to the nation's highest court," Carrie Severino, chief counsel for JCN and a former U.S. Supreme Court clerk, said in a statement.

"As a federal judge, Garland has made rulings undermining the Second Amendment rights of Ohioans as well as defended expansive, unchecked power of federal agencies such as the EPA, decisions that harm Ohio small businesses," she continued.

The move has drawn criticism from Democrats, including Sen. Portman's general election opponent, former Gov. Ted Strickland. (See Gongwer Ohio Report, March 16, 2016)

Sen. Portman also announced on Monday the addition of Michawn Rich as his campaign's communications director.

"We are very excited to have Michawn Rich join us as we kick off the general election," campaign manager Corry Bliss said. "Michawn's discipline and experience in competitive races - including 2014's most competitive congressional race in the country - will be a great addition to our team. She is a seasoned communicator who will help us contrast Rob's vision for a brighter future with why Ohio can't go back to Ted Strickland's Ohio when the state lost over 350,000 jobs and ranked 48th in job creation."

Clyde Nominated For Award: Sen. Sherrod Brown (D-Avon) on Monday urged people to vote for Rep. Kathleen Clyde (D-Kent) to receive the Gabrielle Giffords Rising Star Award by EMILY's List.

"Kathleen is one of Ohio's biggest rising stars. She's an outspoken advocate for voting rights, and even in our state's conservative legislature, Kathleen has proven an effective fighter for Ohio's women and workers," he said.

Ms. Clyde also announced that she will make stops in Columbus, Cleveland and Cincinnati with author Ari Berman to discuss his new book, *Give Us the Ballot: The Modern Struggle for Voting Rights in America*.

Capitol Scene: Former Dispatch Editor Marrison Joins Yost Team

State Auditor Dave Yost said Monday he's hired Ben Marrison, the former *Columbus Dispatch* editor, as his communications director.

He replaces Carrie Bartunek, who was named senior policy adviser for public affairs.

"Ben's extensive media experience and management expertise will be a great addition to our office," Auditor Yost said in a statement. "He is a trusted name in Columbus and all over the state of Ohio, and we are fortunate to have him join our team."

Mr. Marrison, 52, previously worked for the *Cleveland Plain Dealer* and *Toledo Blade*. He starts his new post April 4 with an annual salary of \$105,000.

"The state auditor's office embodies those things that I always tried to do as a journalist: be transparent, provide public access and hold people accountable. I have a great deal of respect for the way Dave Yost has conducted himself as state auditor and as Delaware County prosecutor. His decisions are rooted in doing the right things by taxpayers without regard to politics," Marrison said.

"The position of director of communications provides me the opportunity to continue my public service, to help citizens understand how their money is being spent, and to better understand government operations -- something I've been fascinated with since my earliest days as a reporter."

Mr. Marrison, a Pickerington resident, holds a journalism degree from Bowling Green State University.

Attorney General's Opinion

No. 2016-010. Requested by Paulding County Prosecuting Attorney Joseph R. Burkard.
SYLLABUS:

The judges of a court of common pleas, in the reasonable exercise of their discretion, may expend moneys generated by the court's special projects fee imposed pursuant to R.C. 2303.201(E)(1) to purchase incentives that reward a participant's compliance with the terms of the court's drug court program, provided the judges determine that the incentives contribute to the efficient operation of the court.

Supplemental Agency Calendar

Wednesday, March 23

Ballot Board, Senate Finance Haring Rm., Senate Bldg., Columbus, 2:30 p.m. (The board will meet to determine whether each of the proposed constitutional amendments known as the "Ohio Clean Energy Initiative" and the "Ohio Ethics First Amendment" contain only one proposed amendment.)

Thursday, March 24

BWC Nominating Council, Conf. Rms. B&C, 31st Fl., 77 S. High St., Columbus, 1 p.m.

Thursday, April 7

Optical Dispensers Board, 31st Fl., 77 S. High St., Columbus, 9:30 a.m.

Supplemental Event Planner

Wednesday, April 6

Senate Republican candidate Frank Hoagland fundraiser, The Galley, 203 Second St., Marietta, 4:30 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to Hoagland for Ohio)

Tuesday, April 12

Vorys, Sater, Seymour and Pease LLP Legislative Reception, 52 East Gay St., Columbus, 5 p.m.

Tuesday, April 19

Sen. Joe Uecker (R-Loveland) fundraiser, Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to The Committee to Elect Joe Uecker)

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House Activity for Monday, March 21, 2016

INTRODUCED

HB 492 ■ **CAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.)** To create the Supplemental State Capital Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation. Am. 131.43, 131.44, and 164.01 and to enact section 164.18.

HB 493 ■ **CHILD ABUSE REPORTING (Sears, B., Ryan, S.)** To make changes in the child abuse and neglect reporting law. Am. 307.627, 2151.421, 2151.422, 2151.99, 3701.701, 5153.16, 5153.175, and 5153.176.

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Senate Activity for Monday, March 21, 2016

INTRODUCED

SB 297 ■

STUDENT EXPULSIONS (Hughes, J.) With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds. Am. 3313.66 and 3313.661 and to enact section 3313.668.

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Daily Activity Planner for Tuesday, March 22

Legislative Committees

Canceled: Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

Canceled: Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

- If needed

Agency Calendar

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 8 a.m.

Event Planner

Presidential primaries/caucuses in Arizona, Utah & Idaho (Democratic)

ACLU of Ohio and Ohio Justice and Policy Center news conference to release criminal justice report, Judicial Room, Sheraton at Capitol Square, 75 E. State St., Columbus, 10 a.m.

Rep. Nickie Antonio (D-Lakewood) and Rep. Janine Boyd (D-Cleveland Hts.) news conference on bill to remove firearms in certain domestic violence situations, Ladies Gallery, Statehouse, Columbus, 10:30 a.m.

Rep. Greta Johnson (D-Akron) and Sen. Capri Cafaro (D-Hubbard) news conference on gender diversification legislation, Ladies Gallery, Statehouse, Columbus, 2 p.m.

Sen. Troy Balderson (R-Zanesville) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000; Event Sponsor \$500; Individual Attendee \$350 to Troy Balderson for State Senator)

Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club, Gold Rm., 136 E. Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Hottinger)

Sen. Kevin Bacon (R-Columbus) fundraiser, Athletic Club, Crystal Rm., 136 E. Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Kevin Bacon)

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Claddaugh, 585 S. Front St., Columbus, 5:30 p.m., (Hoste: \$1,000; Sponsor \$500; Individual attendee: \$350 to Friends of Bill Coley)

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To: Adams, Alexandra
Subject: Ohio Report, Monday, March 21, 2016
Attachments: Mar21.htm; Mar21House.htm; 160321dayplan.htm;
Mar21Senate.htm



Ohio Report for Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs

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Attorney General's Opinion

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Senate

Calendars

Day Planner

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Volume #85, Report #54 -- Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs

For more than a year and a half, AEP and FirstEnergy have waited for the Public Utilities Commission's orders on their controversial Power Purchase Agreements - decisions that have been expected to be made in the first quarter of 2016.

But with just one more meeting of the PUCO scheduled for this month, it's possible the wait for one or both decisions could stretch into the second quarter.

The PUCO is scheduled to meet just once more this month - a March 30 meeting for which the agenda has not yet been finalized. The commission will not meet March 23.

Whether the agenda will include one or both cases hasn't yet been determined, but PUCO spokesman Matt Schilling said any belief the ruling will come in the first quarter has been conjecture.

"For what it's worth the commission's never indicated when a decision may be," Mr. Schilling said. "There is lots of speculation out there, but we don't know."

The companies involved and their opponents have been anticipating first quarter orders. Should a decision not come in two weeks' time, the cases a year and a half or more in the making would be poised to continue.

The utilities are hopeful a decision arrives sooner, rather than later. In FirstEnergy's case, for example, the company has two energy auctions scheduled in April under the Electric Security Plan scheduled to begin June 1.

"So we're very hopeful we can get an order in this case so we can proceed with these auctions," spokesman Doug Colafella said. "Because as of June 1, we don't have power supply purchased for our customers."

"I think everyone is hopeful a decision may come as of next meeting. But obviously it's up to commission to put it on the agenda."

AEP spokeswoman Tammy Ridout said the company is "hopeful the commission will issue an order quickly."

"They have all the evidence in hand and we think they should approve the settlement agreement we've proposed," she said. "It's been a long process and we're ready for it to move forward,"

Potentially complicating matters is the ongoing complaints against both PPAs before the Federal Energy Regulatory Commission. The Ohio Consumers' Counsel in February urged the PUCO to delay ruling until the FERC cases are settled. (See Gongwer Ohio Report, February 17, 2016)

In their latest filing, the Electric Power Supply Association argued that the companies have failed to rebut the concerns raised in the complaints and FERC "should issue an order as soon as possible granting the complaints."

The group cites opposition from PJM, the Pennsylvania Public Utility Commission, the Northwest Ohio Aggregation Council and others as showing the merits of its case.

"It is rare to see these parties and suppliers in complete agreement on wholesale market issues, and that they are should be a clear sign that, to paraphrase Shakespeare, something is rotten in the state of Ohio," the group wrote.

In their testimony, AEP and FirstEnergy both argue FERC has no jurisdiction in the matter and that the complaints are baseless because the allegations of consumer harm are "misplaced." (See Gongwer Ohio Report, February 24, 2016)

Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure

Controlling Board members approved \$92,500 in funding for the Secretary of State's office to hold elections training in Cleveland, though one lawmaker questioned why the event wasn't slated for Columbus.

The training event has recently been held either in Columbus as a two-day event or at five locations around the state as one-day events. Rep. Hearcel Craig (D-Columbus) asked if having the event in Cleveland could affect turnout for people in distant parts of the state. If turnout is low, he said, it could mean the office would have to come back before the board for more money.

Veronica Sherman, chief financial officer for the secretary of state's office, said she didn't expect to need more money.

"I think the cost that we have laid out here is the high end of the parameter and we would not expect to have to come back for more money," she said.

The office wanted to have only one event because it allows for more intensive training, she said.

Sen. Tom Sawyer (D-Akron) questioned part of a request from the Department of Education for \$3.2 million over two years for teacher certification and licensure, which includes the Office of Professional Conduct. The proposal cited an increase in the number of open cases, partially because of high-profile data manipulation scandals.

Sen. Sawyer asked if the department was targeting any particular types of schools or other programs in investigating data manipulation. Aaron Rausch, the department's director of budget and school funding, said they focused on individuals, not broad types of school districts.

"We appreciate that you don't want to go out on a witch hunt, but having said that, knowing that you're well targeted gives us more comfort," Sen. Sawyer said.

Mr. Rausch said the data manipulation cases are part of the increased load at the Office of Professional Conduct, but are not the only reason for the increase. Other things that have increased the caseload include a program that tracks the backgrounds of teachers and employees after they have been hired, finding any new hits to their record while they are working.

"Just in general there has been an increase in the caseload of the Office of Professional Conduct," he said.

The Controlling Board also approved a new contract the Department of Administrative Services reached with the Fraternal Order of Police Ohio Labor Council. The contract covers more than 500 employees statewide in eight state agencies, said Kristen Rankin, interim deputy director for the Office of Collective Bargaining.

The contract runs through June 30, 2018, and is similar to past contracts, though changes include switching from an annual clothing allowance to reimbursement and modifying the drug-free workplace policy to prohibit employees from working if they have blood alcohol contents above 0.02.

A request for \$1.45 million from the Development Services Agency for programs aimed at revitalizing distressed communities was deferred at the agency's request.

Other items approved by the board included requests for (Agenda):

- \$4.4 million from the Court of Claims for the payment of a wrongful imprisonment settlement for Kwame Ajamu, formerly Ronnie Bridgeman, and Wiley Bridgeman.
- \$615,852 from the Department of Natural Resources for geological mapping.
- \$1.9 million from the Ohio State University for a higher education system maintenance and upgrade project. The system manages data on student enrollment, courses, financial aid and more.
- \$3.1 million from OSU for roof and electrical repairs for three buildings on the Marion campus.
- \$4 million from the Development Services Agency for affordable housing assistance grants.

- \$1.9 million from the Ohio Environmental Protection Agency for a number of projects to clean up polluted sites.

Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent

Although he was an outsider in a primary race against an incumbent, businessman Craig Riedel has had no shortage of attention from Columbus since winning his bid to head to the statehouse in January.

The Defiance Republican edged out Rep. Tony Burkley (R-Paulding) in last week's primary to represent Defiance, Paulding, Van Wert and part of Auglaize counties.

Lacking a Democrat competitor in the November election, Mr. Riedel, 49, will be headed to the Statehouse next year. After a brief hiatus from campaigning, he said he'll begin crafting his agenda by meeting with fellow lawmakers who've already begun courting him.



Craig Riedel

"I'm in a major learning curve right now. I'm going to take the summer to meet with those other representatives who've reached out to me that want to talk to me and let me know what I might expect as to how things operate," said the newcomer, who had never run for a political office before retiring from a management position at Nucor Corporation in July to pursue the House seat.

Mr. Riedel said he'll also be familiarizing himself with the capital city, having only spent a brief amount of time at the Statehouse during the last General Assembly.

Ironically, that visit was a "shadowing" of Rep. Burkley while the incumbent performed his state rep duties. Unbeknownst to his host, Mr. Riedel would soon be angling for his job.

Mr. Riedel said he asked Mr. Burkley for the opportunity because he wanted to learn more about the legislature.

When the House GOP first threw its financial support behind Rep. Burkley, Mr. Riedel said he was confused because no one in the party had gotten to know him. (See Gongwer Ohio Report, January 4, 2016)

It's customary for both parties to protect their incumbents, especially in key elections where candidates have well-financed and organized campaigns like that of Mr. Riedel. However, the winner of Tuesday's election said he was able to pull off a victory despite the powers-that-be because voters trust him.

"I think the people we met, they saw the sincerity in my words and my life and they had the confidence in me that I was going to go to Columbus and truly represent them and that I would not be afraid to be criticized or that I wouldn't be afraid to go against the line when I felt it was necessary," he said.

At the risk of upsetting the party, Mr. Riedel said that while he's planning to vote mostly with his peers, he won't be afraid to lead on conservative issues that haven't yet been tackled, such as making Ohio a so-called "right to work" state.

Working with Nucor Corporation for 27 years, he said he saw a number of businesses choose to settle in neighboring states such as Indiana or Michigan because workers in those states are not required to join unions.

"I understand why unions may be necessary but what I believe is an individual should have a right to choose whether or not they want to belong to a union or not," he said. "I think it's wrong that you're required in Ohio to join a union if there is a union in your facility. You should have that freedom of choice."

Working in private business his entire career, Mr. Riedel said he understands how important teamwork is to being successful, however sticking to one's principals is just as important.

"I'm always going to be very respectful and of the Republican Party and I'm very conservative, but I'm always going to do what I think is right and there are going to be times when that goes divergent from what the Republicans would like me to do," he said.

"My bosses are my God and the constituents of the 82nd House District. That's who I'm going to answer to. I'm always going to do what I believe is the right thing to do," Mr. Riedel continued.

Having already knocked on the doors of 4,400 constituents with his wife, Danette, leading up to the election, he said he'll continue meeting with people in his district and find out what issues they care most about.

Another priority will be meeting with business and civic groups to determine the best way to meet his goals of reducing taxes and business regulations as well as spurring economic development, Mr. Riedel said.

Kasich Lags In Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...

Gov. John Kasich trails competitors Sen. Ted Cruz (R-Texas) and billionaire Donald Trump in the race to secure enough delegates to secure the Republican Party's nomination for president.

He also trails in the money race.

Gov. Kasich reported \$1.25 million on hand at the beginning of March, according to his latest campaign finance report filed with the Federal Election Commission. In February, he raised \$3.4 million and spent \$3.6 million.

Sen. Cruz began the month of March with \$8 million on hand. He raised \$11.8 million and spent \$17.5 million in February.

Mr. Trump had \$1.6 million on hand at the beginning of March. He raised just \$2 million in February, but loaned his campaign nearly \$7 million during the month, bring the total to \$24.3 million since entering the campaign. He spent \$9.5 million in February.

Garland: Over the weekend, the governor was forced to walk back a comment he made about President Barack Obama's pick to fill the seat of former U.S. Supreme Court Justice Antonin Scalia.

During a taped interview for CBS' "Face the Nation," Gov. Kasich suggested he would consider nominating Merrick Garland to a seat on the bench.

He later said that statement was made "in an effort to be polite."

"Look, you know, Garland's - I'm going have my own picks for Supreme Court," he said. "You know, the fact is, I said that they ought to meet him and talk to him, and I'm not going to pick somebody who's, you know, obviously not a respecter of the Second Amendment. I don't want people making law and so nobody should be confused, worked up or upset. He's not going to be my pick for the Supreme Court."

Also, during a taped interview on NBC's "Meet the Press," Gov. Kasich ruled out the possibility of being the running mate of either Sen. Cruz or Mr. Trump.

Leadership Team: Ahead of Tuesday's primary contest in Arizona, Gov. Kasich announced his leadership team there that includes two state lawmakers, two former chiefs of staff to governors, a disability rights advocate and several activists.

"We have a great team in Arizona," Gov. Kasich said. "I am very appreciative of their help to share our positive message to strengthen our country and bring real solutions to the America people."

Campaign Stops: Gov. Kasich on Monday was one of four presidential candidates scheduled to address the American Israel Public Affairs Committee Policy Conference.

In his speech to AIPAC, Gov. Kasich made a pitch based on experience, according to *Politico*.

On Wednesday, he is scheduled to hold a town hall event in Wisconsin, where he picked up the endorsement of former Treasurer Jack Voight.

Draft Kasich Movement: According to *New York Times Magazine* writer Robert Draper, the GOP establishment is not rushing to get on board the bandwagon for Gov. Kasich to secure the party's nomination in a brokered process.

According to Mr. Draper, party insiders are rejecting the movement because of his poor showing in most states, along with his support for Medicaid expansion and embrace of Common Core, despite helping to balance the budget as chairman of the House Budget Committee.

"But there's a third layer of resistance to Kasich, one with which Cruz can identify: Many Beltway Republicans don't like him," he writes.

"No doubt Chairman Kasich's strict budgets made life unpleasant for a few lobbyists. But so did his demeanor - which, D.C. veterans say, was often sanctimonious and rude," he continued.

Campaign Continues: Despite needing more than 100 percent of remaining elected delegates to secure the party's nomination, Gov. Kasich on Monday again reiterated that he has no plans to get out of the race.

Speaking on CNN's "New Day" on Monday morning, the governor said a brokered convention will be "an extension of this primary process."

"If I'm the only one that can beat Hillary in the fall, why would anybody say I should leave? I mean that's just - that's nuts," he said.

Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds

Attorney General Mike DeWine on Monday rejected petition language for a ballot measure to make medicinal marijuana legal in Ohio.

The petition, Medicinal Cannabis and Industrial Hemp Amendment, was submitted by Grassroots OH with more than 2,000 signatures.

However, Mr. DeWine found two defects in the summary language, including the lack of references to proposed amendment language that "industrial hemp and medicinal cannabis shall be researched, regulated, and promoted by the state in a manner substantially similar to other agricultural crops" and another section that states 21-year-olds have "equal opportunity to access, ownership, and employment."

On Friday, Mr. DeWine rejected petition language filed by Ohio Medical Cannabis Care LLC based on 11 defects. (See Gongwer Ohio Report, March 18, 2016)

Since 2011, Mr. DeWine has rejected petition language for 13 measures dealing with marijuana.

A decision on the proposed language of another medical marijuana ballot measure is scheduled to be released Friday.

JCARR: Amid concerns raised by some municipalities, the Joint Committee on Agency Rule Review put off a hearing on Ohio EPA rules that came out of legislation (SB 1) designed to deal with toxic algal bloom in Lake Erie.

The regulations include monitoring and reporting of harmful algal blooms in public water systems.

"We just felt there had to be a few more questions asked," Chairman Sen. Joe Uecker (R-Loveland) said following the meeting.

According to Sen. Uecker, the rules are expected to be back on the agenda for review at the April 4 meeting.

Bureau of Workers' Compensation: A Lake County man was convicted of workers' compensation fraud after the agency's Special Investigations Department captured video of him working as a handyman.

Mark Walker, who was receiving temporary total disability, was ordered to repay nearly \$75,000 in benefits he collected over a five-year period. He was also sentenced to 12 to 18 months incarceration, which was suspended for three years of community control.

"The purpose of temporary total disability is to give injured workers time to recuperate, and work activity during that recovery period is prohibited," BWC Administrator/CEO Steve Buehrer said. "Mr. Walker deceptively returned to employment for several years and continued to collect thousands of dollars from BWC."

Secretary of State: The Ballot Board is scheduled to meet Wednesday and will take up two ballot measures, one a proposed initiative designed to boost the clean energy industry and the other a proposed constitutional amendment that would ban former lawmakers from lobbying for two years after leaving office, and cap most legislators' pay at the annual median household income in Ohio.

Sebring Water Grant: The U.S. Department of Agriculture has awarded the Village of Sebring a \$400,000 grant to assist with water quality improvements, a development welcomed by state and federal lawmakers.

"This grant will help provide much needed upgrades to Sebring's water system but the work is far from over," Senate Minority Leader Joe Schiavoni (D-Boardman) said in a statement. "We need to acknowledge that water quality issues will continue to plague our communities until our state makes an honest investment into fixing our crumbling underground water and sewer infrastructure."

U.S. Sen. Rob Portman stated, "I'm pleased that federal authorities are helping Sebring ensure its water supply is safe. As we move forward, I hope the Senate will act in a bipartisan way to help Ohio and other areas of the country who have similar needs. I will continue to work in a bipartisan manner to ensure that all Ohioans have access to clean and safe drinking water."

Lead-tainted water in the village and officials' slow reaction in alerting residents has led to fallout at the local level, where the Ohio EPA announced violations, and at the state level, where two agency employees were fired following a review of the circumstances. (See Gongwer Ohio Report, February 17, 2016)

At the federal level, both Mr. Portman and U.S. Sen. Sherrod Brown (D-Avon) have backed related legislation on clean water issues, which have come to the forefront in recent months due to lead tainted water in Flint, Mich., Sebring and elsewhere. (See Gongwer Ohio Report, February 3, 2016)

Politics Notebook: Ramos Looks To Add Early Voting Sites; Portman On Air With Web Ad, Defends Supreme Court Decision; Clyde Up For Award

One state lawmaker is advocating for an increased number of early voting sites.

Rep. Dan Ramos plans legislation that would allow counties to have one early voting location for every 60,000 residents. The additional early voting sites would require the approval of a county board of commissioners or, in case of Cuyahoga and Summit counties, the chartered governing body.

"With early voting for the primary recently concluding in Ohio, I believe it is time to examine and address an inequality in the system," he said. "With such variation in population, a 'one-size fits all' approach that limits the number of early voting centers does not adequately encourage public participation in the democratic process."

Under the proposal, 23 counties would be eligible to open at least one additional early voting center, according to Rep. Ramos.

"Voting is a right central to what makes us American, and this bill expands access to that right," Ramos said. "Allowing more early voting locations closer to home will benefit both

suburban and township voters outside of the city center, as well as lower income voters with limited transportation options."

Senate Race: The campaign of Sen. Rob Portman (R-Terrace Park) is up with a web ad touting his work to help Hebron-based ArmorSource secure a federal contract.

According to the ad, the company has added 200 jobs since inking the deal.

In a Sunday op-ed for the *Cincinnati Enquirer*, Sen. Portman defended his decision to join with fellow Senate Republicans in refusing to hold hearings on President Barack Obama's choice to fill the seat of former Supreme Court Justice Antonin Scalia.

"I have concluded that the best thing for the country is to trust the American people to weigh in and to have the confirmation process take place in a less partisan atmosphere," he wrote. "Awaiting the result of a democratic election, rather than having a nomination fight in this contentious election-year environment, will give the nominee more legitimacy and, as then - Senator Biden pointed out, better preserve the institutional credibility of the Senate and the court."

The decision has earned praise from the Judicial Crisis Network, which is launching a \$2 million TV, radio and digital ad campaign in six states, including Ohio.

"The goal of this effort is to inform and alert the citizens of Ohio that in opposing President Obama's third liberal nominee to the Supreme Court, Senator Portman is also opposing liberal domination of the court and that, with the presidential election so close, he is right to allow the people of Ohio a voice in this lifetime appointment to the nation's highest court," Carrie Severino, chief counsel for JCN and a former U.S. Supreme Court clerk, said in a statement.

"As a federal judge, Garland has made rulings undermining the Second Amendment rights of Ohioans as well as defended expansive, unchecked power of federal agencies such as the EPA, decisions that harm Ohio small businesses," she continued.

The move has drawn criticism from Democrats, including Sen. Portman's general election opponent, former Gov. Ted Strickland. (See Gongwer Ohio Report, March 16, 2016)

Sen. Portman also announced on Monday the addition of Michawn Rich as his campaign's communications director.

"We are very excited to have Michawn Rich join us as we kick off the general election," campaign manager Corry Bliss said. "Michawn's discipline and experience in competitive races - including 2014's most competitive congressional race in the country - will be a great addition to our team. She is a seasoned communicator who will help us contrast Rob's vision for a brighter future with why Ohio can't go back to Ted Strickland's Ohio when the state lost over 350,000 jobs and ranked 48th in job creation."

Clyde Nominated For Award: Sen. Sherrod Brown (D-Avon) on Monday urged people to vote for Rep. Kathleen Clyde (D-Kent) to receive the Gabrielle Giffords Rising Star Award by EMILY's List.

"Kathleen is one of Ohio's biggest rising stars. She's an outspoken advocate for voting rights, and even in our state's conservative legislature, Kathleen has proven an effective fighter for Ohio's women and workers," he said.

Ms. Clyde also announced that she will make stops in Columbus, Cleveland and Cincinnati with author Ari Berman to discuss his new book, *Give Us the Ballot: The Modern Struggle for Voting Rights in America*.

Capitol Scene: Former Dispatch Editor Marrison Joins Yost Team

State Auditor Dave Yost said Monday he's hired Ben Marrison, the former *Columbus Dispatch* editor, as his communications director.

He replaces Carrie Bartunek, who was named senior policy adviser for public affairs.

"Ben's extensive media experience and management expertise will be a great addition to our office," Auditor Yost said in a statement. "He is a trusted name in Columbus and all over the state of Ohio, and we are fortunate to have him join our team."

Mr. Marrison, 52, previously worked for the *Cleveland Plain Dealer* and *Toledo Blade*. He starts his new post April 4 with an annual salary of \$105,000.

"The state auditor's office embodies those things that I always tried to do as a journalist: be transparent, provide public access and hold people accountable. I have a great deal of respect for the way Dave Yost has conducted himself as state auditor and as Delaware County prosecutor. His decisions are rooted in doing the right things by taxpayers without regard to politics," Marrison said.

"The position of director of communications provides me the opportunity to continue my public service, to help citizens understand how their money is being spent, and to better understand government operations -- something I've been fascinated with since my earliest days as a reporter."

Mr. Marrison, a Pickerington resident, holds a journalism degree from Bowling Green State University.

Attorney General's Opinion

No. 2016-010. Requested by Paulding County Prosecuting Attorney Joseph R. Burkard.
SYLLABUS:

The judges of a court of common pleas, in the reasonable exercise of their discretion, may expend moneys generated by the court's special projects fee imposed pursuant to R.C. 2303.201(E)(1) to purchase incentives that reward a participant's compliance with the terms of the court's drug court program, provided the judges determine that the incentives contribute to the efficient operation of the court.

Supplemental Agency Calendar

Wednesday, March 23

Ballot Board, Senate Finance Haring Rm., Senate Bldg., Columbus, 2:30 p.m. (The board will meet to determine whether each of the proposed constitutional amendments known as the "Ohio Clean Energy Initiative" and the "Ohio Ethics First Amendment" contain only one proposed amendment.)

Thursday, March 24

BWC Nominating Council, Conf. Rms. B&C, 31st Fl., 77 S. High St., Columbus, 1 p.m.

Thursday, April 7

Optical Dispensers Board, 31st Fl., 77 S. High St., Columbus, 9:30 a.m.

Supplemental Event Planner

Wednesday, April 6

Senate Republican candidate Frank Hoagland fundraiser, The Galley, 203 Second St., Marietta, 4:30 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to Hoagland for Ohio)

Tuesday, April 12

Vorys, Sater, Seymour and Pease LLP Legislative Reception, 52 East Gay St., Columbus, 5 p.m.

Tuesday, April 19

Sen. Joe Uecker (R-Loveland) fundraiser, Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to The Committee to Elect Joe Uecker)

17 S. High St., Suite 630

Columbus Ohio 43215

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House Activity for Monday, March 21, 2016

INTRODUCED

HB 492 ■ **CAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.)** To create the Supplemental State Capital Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation. Am. 131.43, 131.44, and 164.01 and to enact section 164.18.

HB 493 ■ **CHILD ABUSE REPORTING (Sears, B., Ryan, S.)** To make changes in the child abuse and neglect reporting law. Am. 307.627, 2151.421, 2151.422, 2151.99, 3701.701, 5153.16, 5153.175, and 5153.176.

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Daily Activity Planner for Tuesday, March 22

Legislative Committees

Canceled: Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

Canceled: Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

- If needed

Agency Calendar

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 8 a.m.

Event Planner

Presidential primaries/caucuses in Arizona, Utah & Idaho (Democratic)

ACLU of Ohio and Ohio Justice and Policy Center news conference to release criminal justice report, Judicial Room, Sheraton at Capitol Square, 75 E. State St., Columbus, 10 a.m.

Rep. Nickie Antonio (D-Lakewood) and Rep. Janine Boyd (D-Cleveland Hts.) news conference on bill to remove firearms in certain domestic violence situations, Ladies Gallery, Statehouse, Columbus, 10:30 a.m.

Rep. Greta Johnson (D-Akron) and Sen. Capri Cafaro (D-Hubbard) news conference on gender diversification legislation, Ladies Gallery, Statehouse, Columbus, 2 p.m.

Sen. Troy Balderson (R-Zanesville) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000; Event Sponsor \$500; Individual Attendee \$350 to Troy Balderson for State Senator)

Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club, Gold Rm., 136 E. Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Hottinger)

Sen. Kevin Bacon (R-Columbus) fundraiser, Athletic Club, Crystal Rm., 136 E. Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Kevin Bacon)

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Claddaugh, 585 S. Front St., Columbus, 5:30 p.m., (Host: \$1,000; Sponsor \$500; Individual attendee: \$350 to Friends of Bill Coley)

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Senate Activity for Monday, March 21, 2016

INTRODUCED

SB 297

STUDENT EXPULSIONS (Hughes, J.) With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds. Am. 3313.66 and 3313.661 and to enact section 3313.668.

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From: Adams, Alexandra
Sent: Monday, April 4, 2016 1:55 PM
To: Best, Carolyn; Slack, Cora; Westlake, Libby; Miller, Brad
CC: James, Ben
Subject: ALERT: Duffey JCARR Bill (Sending @ 2:30)



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

For Immediate Release:

April 4, 2016

(614) 466-8082

(614) 644-6030

Contact: Senator Uecker,

Representative Duffey,

Uecker, Duffey Jointly Announce Proposal with Ohio Chamber of Commerce to Improve Fairness of State Agency Rulemaking

*Legislation Lauded as Helping Ohio Small Businesses;
Continues Gov. Kasich's Common Sense Approach to Regulation*

COLUMBUS – State Senator Joe Uecker (R-Miami Township), chairman, and State Representative Mike Duffey (R-Worthington), vice chairman, of the Joint Committee on Agency Rule Review (JCARR) have formally introduced legislation in their respective chambers (SB 303 and HB 503) to reform Ohio's state agency rulemaking to ensure rules are filed timely and in a fair manner. The legislation is also co-sponsored by former JCARR Chairman, Sen. Frank LaRose (R-Copley Township) and current JCARR member, Rep. Cheryl Grossman (R-Grove City), and more than a dozen other legislators.

The bill is supported by the Ohio Chamber of Commerce's Small Business Council, which consists of small businesses in Ohio with between 1-400 employees.

"Whether you are a small business in Ohio or simply a citizen dealing with regulation, I think everyone can agree we should have standards for notifying the public, making sure rules are consistent with state law and that there is an oversight process that is public,"

said Uecker. "This bill is a step toward making the rule process fair for everyone, and especially small businesses."

"For whatever reason, state agencies occasionally publish 'policies' that put regulations on Ohioans, but which have not gone through formal rulemaking as required by state law," said Duffey. "That means no public hearings, no oversight by the legislature and no opportunity for the public to comment. This legislation will fix that and ensure a fair hearing for all affected parties."

The bill was developed in coordination with the Ohio Legislative Service Commission and continual feedback from the Ohio Chamber of Commerce's Small Business Council for the past six months.

"Senate Bill 303 and House Bill 503 are vitally important, especially to small businesses. Most small employers do not have the resources to interpret or implement new agency rules," said Bill Bishop, Chairman of the Ohio Chamber's Small Business Council. "This legislation includes many pro-business provisions which aim to ensure that if new rules are created, the firms affected have some added protection from undue negative business impacts."

Components of the legislation include:

- * If an agency improperly establishes a rule through policy, instead of through formal rulemaking as required by Ohio Revised Code Chapter 119, then JCARR will have the authority to call the agency before the committee to explain why it did not file a rule and formally ask them to file.
- * This review process would extend to inaction on rules that state agencies are statutorily required to propose, but which have not been proposed. It is not uncommon for state agencies to never file rules, despite a state law charging the agency with that responsibility.
- * Agencies would periodically be required to follow a process of self-examination to search for policies that should be formalized in rulemaking.
- * A person may petition an agency to write rules if they have been a party to adjudication, an order or civil action. If the agency agrees, they have nine months to write the rules. If not, the agency must provide the petitioner with a public hearing to explain why they would not write rules.
- * If adversely impacted by a policy that did not go through rulemaking, a person may have a cause of action in court and receive court costs and attorney fees.
- * If the Auditor of State discovers policy in lieu of rulemaking during the performance of a state agency audit, then the auditor must flag that discrepancy for review by JCARR.

* When a rule incorporates another document by reference – for example, a manufacturer’s manual as it relates to safety standards – the agency must include a dated citation for that document and may not automatically include future versions of that document without JCARR review.

* When a rule incorporates another document by reference, but that document is not easily available to the public, then the agency must provide a copy for review at no cost to the requester.

* Technical changes, such as allowing an agency to avoid the requirement to furnish JCARR with reference documentation if such documentation is readily available without charge. This will lessen paperwork for agencies under existing law, thereby streamlining the JCARR process.

* Adds a 7th prong to JCARR invalidation criteria that would allow the committee to initiate an invalidation recommendation if a rule imposes a fee that is not reasonable or fairly related to the cost incurred by the agency. For example, if an agency attempted to charge fees that resulted in vastly more revenue than the regulation actually costs to administer.

* Allows JCARR to review rules between regular 5-year rule review periods if a rule has an unforeseen effect on business. This would require a majority vote of JCARR to initiate.

* Expands the definition of “adverse impact” on business to include rules that are likely to reduce the revenue of a business or increase the expenses of the business, and would trigger CSIO review.

If enacted, this legislation will help ensure that Ohioans attempting to understand regulation will know that the regulations will be codified in the Ohio Administrative Code, eliminating burdensome searches for informal policies that are less public and more difficult to discover. It will also provide them with an opportunity to receive email alerts when such rules are proposed and to speak in a public hearing.

By adding the 7th prong for unreasonable or unfair fees, the legislature will have stronger oversight over various state agency fees to ensure the amounts being charged relate to the purpose of their existence.

Together, the bill will help Ohio businesses better understand, comment upon and influence the drafting of rules being proposed by state regulatory agencies.

#

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Sent: Monday, April 4, 2016 3:01 PM
To: Best, Carolyn; Slack, Cora; Westlake, Libby; Miller, Brad
CC: James, Ben
Subject: RE: ALERT: Duffey JCARR Bill (Sending @ 2:30)
Attachments: 20160404-DSC_8965.jpg

Sending with attached picture.

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